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1603–1642

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HISTORY OF ENGLAND

FROM THE

ACCESSION OF JAMES I.

TO

THE OUTBREAK OF THE CIVIL WAR

1603–1642

BY

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ETC.

IN TEN VOLUMES

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HISTORY OF ENGLAND.

CHAPTER LXXXVIII.

THE FIRST BISHOPS' WAR.

WAR was now universally recognised as inevitable. The plan of campaign adopted by Charles was to a great extent the same as that which had been suggested by Wentworth. Carlisle and Berwick were to be firmly held, and an army on the Borders was to protect England from invasion. Pennington's ships were to hover about the Firth of Forth, to cut off the petty commerce which enriched Fife and the Lothians. The great blow, however, was to be struck, not at Leith, but at Aberdeen. Hamilton was to carry a force of 5,000 men to Huntly's support. As soon as he arrived, the two marquises would move southwards together, collecting as they went those scattered bodies of loyalists who were supposed to be burning to throw off the yoke of Covenanting tyranny.[1] From Hamilton's point of view, it was necessary that he should appear at the head of a Scottish party. To land simply in command of an English force was a course reconcileable neither with his feelings nor with his interests. He could not treat Scotland, as Wentworth treated it, as a mere land of rebels.

1639. March. Plan of the campaign.

In the midst of Charles's deliberate preparations, the Covenanters suddenly assumed the offensive. The walls of the

[1] *Burnet*, 113.

castles of Edinburgh and Dumbarton were strong, but their garrisons had no heart to fight against their countrymen. At Edinburgh the outer gate was burst open with a petard, and the walls were scaled, whilst the soldiers within looked on in stupified amazement. The strongest fortress in Scotland was 'won without a stroke.' At Dumbarton the Governor was so much at his ease that he took some of his men with him to perform their devotions in a church outside the fortifications. He and his companions were seized, and the rest of the garrison capitulated on the following day.[1] Stirling was still in the friendly keeping of the Earl of Mar.

The Covenanters seize the castles of Edinburgh and Dumbarton.

At Dalkeith, Traquair had hoped to make a stand. The regalia of Scotland were there, and powder and arms had been stored up in the cellars for the use of that Royalist army which was to be raised in the southern counties as soon as the King reached the Borders. Unluckily for the scheme, the place was not defensible by any means at Traquair's disposal. The Covenanters from Edinburgh climbed over the walls, and bore off the crown and sceptre with every sign of reverence.[2] Other fortified houses belonging to the loyal nobility were easily reduced to submission, and before the end of March Nithsdale's castle of Caerlaverock was the only defensible position untaken to the south of the Tay. For Charles the result was no mere military disaster. Nowhere amongst his few followers in the Southern Lowlands had there been found that desperate fidelity which springs from devotion to a great cause cheerfully embraced. The king who in time of danger is unable to awaken enthusiasm is lost already.

March 24. Dalkeith taken.

Worse news still came from Aberdeen. All through February, Montrose had been busy, levying men and money in his native Forfarshire. Once he dashed northwards as far as Turriff, to rally the gentry of the district, who were good Covenanters because they feared Huntly. In March he had sterner work before him. On the 16th

February. Montrose's preparations.

[1] *Baillie*, i. 195.

[2] *Rushworth*, ii. 906.

Huntly received a commission of lieutenancy from the King, and the next day a large consignment of arms followed. He was ordered to take the aggressive.[1] No English forces were as yet ready to support him. Neither Charles nor Hamilton had any notion of the value of time in war, and they seem to have fancied that the Covenanters would be as slow in their preparations as they were themselves.

March 16.

March 17.

On the 25th Huntly was at Inverury at the head of 5,000 men. The Covenanters, he was told, were in full march to the North. Without succour from England, he was no match for the enemy. Amongst the gentry of the neighbourhood, the Frazers and the Forbeses, the Covenanting army was sure of a welcome. If Huntly had been a Montrose, he would have struck one stroke for the King in spite of the odds against him. Huntly, however, was not a Montrose. He called a council of war. On its advice, he dismissed his troops, and left Aberdeen to its fate.[2]

March 25. Huntly at Inverury.

March 26. He dismisses his troops.

In the town everything was in confusion. Sixty of the principal citizens, accompanied by the greater number of the Doctors, shipped themselves to offer their services to the King. Others took refuge in friendly houses in the neighbourhood. On the 30th Montrose marched into Aberdeen with Leslie at his side, and 6,000 men at his heels. His allies from the country round made up 3,000 more. The young commander had a keen eye for the value of a symbol or a flag. He heard that the Gordons had adopted a red ribbon as a mark of loyalty. Montrose bade his men sling blue scarfs over their shoulders, and tie bunches of blue ribbons on their bonnets. Montrose's whimsies, as they were called, were soon to become famous when the blue bonnets crossed the border. He did not neglect more serious work. Leaving a garrison

Confusion in Aberdeen.

March 30. Montrose in Aberdeen.

Montrose's blue badges.

[1] *Gordon*, ii. 213. *Burnet*, 113.

[2] Gordon's story that Hamilton sent a direct message to Huntly to dismiss his troops may, I think, be rejected. There may have been orders not to fight till Hamilton arrived. We have no actually contemporary evidence, and must be content with probabilities.

behind him, he pushed on for Inverury, where he quartered his men on the opponents of the Covenant. Meal chests were broken open and cattle slaughtered. Houses standing empty were stripped of their contents. The language was enriched with a new verb, 'to plunder,'[1] imported by Leslie and his followers from the German war, as the synonymous verb 'to loot' has, in our days, been imported from the plains of Northern India.

Despairing of aid from the South, Huntly sought an interview with Montrose. On April 5 a compromise was arrived at. Huntly was to throw no hindrance in the way of any of his followers who were pressed to sign the Covenant. Those of them who were unwilling to do so, and especially the numerous Catholics amongst them, were to enter into an engagement to maintain the laws and liberties of Scotland. On these conditions they were to be left without molestation as long as they remained quiet. Huntly himself was allowed to return to Strathbogie.[2]

April 5. Pacification of the North.

As far as the mass of the population was concerned, the compromise thus arrived at was eminently wise. No possible good could have arisen to the national cause from the compulsory signature of the Covenant by friend or foe. It does not follow that it was equally wise to leave Huntly and his sons at liberty to form a centre of resistance as soon as pressure was withdrawn. So, at least, thought the Northern Covenanters, whose quarrel was rather with the Gordons than with Episcopacy. On the plea that without his aid it was impossible to arrive at a permanent settlement, the Marquis was invited to Aberdeen, under a safe-conduct signed by Montrose and the other leaders, assuring him full liberty to return home as soon as the conference was over.

On the 12th Huntly was at Aberdeen. The next day,

[1] Latham's *Johnson* gives the word on Fuller's authority as having been introduced in 1642. Gordon, however, says of this expedition, 'this they called for to plunder them' (ii. 229). It is used in a MS. letter of Sir H. Vane in 1640.

[2] *Spalding*, i. 160. *Gordon*, ii. 224. The evidence of the latter is worth more than usual here, as his father was engaged in the negotiation.

Montrose's language was that of a man seeking for a pretext to excuse in his own eyes a breach of his plighted word. He began by preferring unexpected demands. Would Huntly pay the expenses of the Covenanting army? Would he seize certain Highland robbers in the neighbourhood? Would he give the hand of friendship to his brother's murderer, Crichton of Frendraught? The last request could only be made to be refused. Between Crichton and Huntly lay the bitter memory of the night when the young Lord Meldrum, coming on an errand of mercy, was decoyed into the Tower of Frendraught, only to be awakened by the roaring flames. Montrose's request was met, as it could not but have been met, with an unhesitating refusal. "My Lord," said Montrose, "seeing we are all now friends, will ye go south to Edinburgh with us?" After some further conversation, Huntly asked a plain question: Was he to go as a captive, or of his own free will? "Make your choice," was Montrose's reply. In that case, said Huntly, he would rather not go as a captive. The form of liberty made little difference to the fact of compulsion. Montrose may have been, as has been suggested, overruled by the committee by which he was controlled; but whether this were the case or not, he had played but a mean and shabby part.

April 12. Huntly at Aberdeen.

April 13.

Huntly carried to Edinburgh.

It had been intended that Huntly should have been accompanied by his two eldest sons—Lord Gordon and Lord Aboyne—who alone of his numerous family had reached man's estate. Aboyne asked leave to go home and fetch money for his journey; and Montrose, ashamed perhaps of his treatment of the family, gave the required permission on promise of a quick return. Aboyne, regardless of an engagement made to one whose faith had not been kept, took the opportunity to place himself beyond the reach of pursuit. His father and elder brother were conducted to Edinburgh. There Huntly was pressed to take the Covenant. "For my own part," he replied, "I am in your power, and resolved not to leave that foul title of traitor as an inheritance upon my posterity. You may take my

Aboyne's escape.

April 20. Huntly refuses to sign the Covenant.

head from my shoulders, but not my heart from my Sovereign." [1]

On March 30, the day on which Montrose entered Aberdeen, the King rode into York.[2] Already as he had journeyed northwards he had been met by bad news from Scotland. He would soon learn that Montrose had brought ruin upon his whole plan of operations. The party which Hamilton had promised him in Scotland was incapable of affording any serious assistance. Charles must fall back on Wentworth's plan now. If Scotland was to be conquered, it must be conquered by a purely English force, and he already knew that, if it was comparatively easy to raise the troops which he required, it was a task of enormous difficulty to pay them.

March 30. The King at York.

The first impulse of every Government in financial straits was to apply to the City of London. In February the citizens had therefore been asked for a free contribution. After a month's delay it was found that no more than 4,800*l.* had been paid, in spite of the personal entreaty of the Lord Mayor and Aldermen. A fresh and more urgent appeal in March produced a bare 200*l.* in addition. The whole amount was so small that it was contemptuously refused.[3]

February. The City asked for money.

In spite of this discouraging experience, the demand for a free contribution to be extended to the whole country was agreed upon by the Council in the King's presence before he left London.[4] In order to increase the chance of a favourable response, a proclamation was issued by which a considerable number of the new monopolies were revoked. Several, however, remained in force, and amongst these were some of the most obnoxious.[5] To provide for immediate necessities, the Mastership of the Rolls had been put

March. Attempts to gain popularity.

[1] *Gordon*, ii. 232. *Spalding*, i. 168.

[2] Coke to Windebank, March 31, *S. P. Dom.* ccccxv. 78.

[3] *Common Council Journal Book*, Feb. 16, March 15, 21, xxxviii. 208 b; 229, 297. Rossingham's *News-Letter*, April 2, *Add. MSS.* 11,045, fol. 9.

[4] The Council to the King, April 5, *Melbourne MSS.*

[5] *Rushworth*, iii. 910, 915.

up to auction. Sir Charles Cæsar bade higher than his competitors, and obtained the prize for 15,000*l.*[1]

Sale of the Mastership of the Rolls.

On April 9 the request was made to the country at large for the payment of that which, in spite of the Petition of Right, was a benevolence in all but the name. The Council itself was doubtful of success.[2] It was a bad omen for the success of the contribution, that ship-money was coming in more slowly than ever. Though only 69,000*l.* had been required this year, on April 13 the payments had not exceeded 17,000*l.*[3]

April 9. A general contribution demanded.

At the beginning of April, therefore, Charles found himself at York with an insufficient army, and with very little assurance that he would be able to find money to pay even that army for more than a limited time. As news of the disasters in Scotland dropped in, the cry of treachery was lightly raised. Charles himself imagined that the hand of Richelieu was to be seen in all that had occurred. Others threw the blame on the Scots themselves. When the capture of Edinburgh Castle was announced, Dorset told Hamilton in full council that he deserved to lose his head as a traitor. Nothing but treason could be accepted as the explanation of Huntly's tame surrender of Aberdeen. Traquair had no sooner set foot in York than he was placed under arrest for the loss of Dalkeith, though he was set free after a short detention. At the English Court it was impossible to judge fairly of the difficulties of Scottish loyalists abandoned to themselves amidst the waves of a great national movement, it not being the fashion at the English Court to believe that there was any national movement in Scotland at all. Treachery undoubtedly existed ; but it was the treachery of the Scottish gentlemen of the bedchamber, who listened to Charles's un-

Want of money.

Suspicions of treachery.

[1] Garrard to Conway, March 28, *S. P. Dom.* ccccxv. 65. Rossingham's *News-Letter*, April 2, *Add. MSS.* 11,045, fol. 9.

[2] Windebank wrote that the Council had represented the doubts entertained in it 'considering how ill an operation those' letters 'had which were sent to the City.' Windebank to Coke, April 7, *Melbourne MSS.*

[3] Account of the Treasurers of the Navy, April 13, *S. P. Dom.* ccccxvii. 90.

guarded talk, and forwarded his secrets to their countrymen across the Border. In this way the Scots received intelligence of every decision almost as soon as it was taken.[1]

From Ireland, too, the news was not encouraging. Charles had confidently looked to the Earl of Antrim to land 10,000 men in the Western Highlands in order to overpower Argyle. Wentworth called Antrim before him, cross-examined him as to his means and intentions, and reported to the King that the Earl had neither 10,000 men at his disposal, nor the capacity to guide such a force if it were entrusted to his charge.[2] Wentworth's view of the situation was very much what it had been the year before. He knew, what Charles did not know, that it was impossible to improvise an army. He considered that Charles's officers were as inexperienced as his men. Looking at Arundel and Holland, he found it hard to understand that men were 'born great captains and generals.' He did not think that they were likely to become so on a day's warning. The best thing he thought would be for the army to keep the Scots in check on the Borders, attending to its own drill and discipline, whilst the fleet blockaded the Scottish ports. If Berwick and Carlisle were well secured, it might 'keep our blue bonnet to his own peck of oatmeal—which they say the lay elder is to provide every soldier of, with a satchel to put it in—without tasting of our better fare, lest he might grow too much in love with it.' Such a plan would doubtless require more money than the King had at his disposal. It could not be, however, that Englishmen would grudge five or six months' service at their own cost. When the winter came it would be necessary 'to think of a constant revenue,' or, in other words, to summon Parliament.[3] If only Englishmen had felt towards

Antrim's proposed expedition.

Wentworth's view of the situation.

[1] Con to Barberini, $\frac{\text{March } 29}{\text{April } 8}$, *Add. MSS.* 15,392, fol. 100. Smith to Pennington, April 4. Arundel to Windebank, April 4, *S. P. Dom.* ccccxvii. 26, 29. Rossingham's *News-Letter*, Nov. 23, *Add. MSS.* 1,105, fol. 14.

[2] Wentworth to Windebank, March 20, *Strafford Letters*, ii. 300.

[3] He had already written: "For Parliament I see not how that can be this summer, it being resolved His Majesty will be at York so early in the

the Scottish insurgents as Wentworth felt, there could be no question of the wisdom of his advice.

Charles was too impatient for immediate success to be guided by such counsels. The news of the surrender of Aberdeen reached him on April 4. If it was useless to send Hamilton to Aberdeen, he might be sent elsewhere. Nothing could eradicate from Charles's mind the notion that, if he could only pierce through the hostile crust, he would find a loyal Scottish nation beneath. Hamilton was therefore to betake himself with his three regiments to the Firth of Forth, to make one more appeal to the people of Scotland against their leaders. It would be long before Charles could be brought to open his eyes to the fact that he was contending against Scotland itself.

April 4. Hamilton to go to the Firth of Forth.

On April 7, therefore, a new proclamation was drawn up to enlighten the eyes of the misguided peasants and tradesmen of Scotland. In it Charles assured his subjects of his intention to stand by the promises made in his name at Glasgow. Nineteen of the leaders—Argyle, Rothes, Montrose, Leslie, and others—were excepted from pardon, though a promise was added that if they submitted within four-and-twenty hours after the publication of the proclamation, their cases should be taken into favourable consideration. After that time had elapsed, a price would be set on their heads, to be paid to anyone who put them to death. A free pardon should be granted to all others who had participated in rebellion. More than this, all vassals and tenants of persons in rebellion were to keep their rents in their own hands, one-half to be paid to the King, and the other to be retained by themselves. All tenants of rebels taking the King's side were to receive a long lease of their lands from the Crown at two-thirds of their present rent. Disloyal tenants of a loyal landlord were to be expelled from their holdings. In one respect, this proclamation was modified before it was finally issued. The Scots about the King remonstrated against the clauses offering a reward for assassination, and he

April 7. The new proclamation.

April 10. Modification of the proclamation.

spring." Wentworth to Northumberland, Feb. 10, *Strafford Letters*, ii. 279.

therefore substituted for them a general threat that all rebels not laying down their arms within eight days would be held to be traitors, and as such to have forfeited their estates and goods. To Hamilton Charles explained his reason for the alteration. "As for excepting some out of the general pardon," he wrote, "almost everyone now thinks that it would be a means to unite them the faster together, whereas there is no fear but that those who are fit to be excepted will do it themselves by not accepting of pardon, of which number I pray God there be not too many." [1]

April 15. Hamilton's troops.

On the 15th Hamilton was at Yarmouth, prepared to take on board his men. He complained bitterly of the rawness of the levies provided for him by the magistrates. Of the whole number no more than 200 had ever had a gun in their hands. The muskets provided were not of the same calibre. Though the men were strong and well-clothed, it could not be expected that they would be fit to take the field with less than a month's training.[2]

The forces in the North.

At York the impression was gaining ground that the conquest of Scotland was not to be effected by proclamations. On April 19 tidings came that the Scottish army on the Borders would soon be 10,000 strong. Another report declared that Leslie had threatened to meet the King on the Borders to parley with him at the head of 30,000 men. Charles's own forces were now marching in. There had been some disorders on the way. The Essex men had murdered a woman and had plundered houses as they passed. At Boston a pressed man sent his wife with one of his toes in a handkerchief as evidence that he could not march.[3] If, however, there was no enthusiasm for the war, neither was there any distinct animosity against the cause for which the war was fought. Even if the ploughmen and carters of which the army

[1] Draft Proclamation, April 7, enclosed by Hay to Windebank, April 15. Proclamation, April 25, *S. P. Dom.* ccccxvii. 94, i., ccccxviii. 50. The King to Hamilton, April 5, 7, 10, *Burnet*, 119.

[2] Hamilton to the King, April 15, 18, *Ham. Papers*, 72, 73.

[3] Lindsey to Windebank, April 6, 7. Windebank to Read, April 19 Norgate to Read, April 19, *S. P. Dom.* ccccxvii. 41, ccccxviii. 78.

was composed, would far rather have remained at home, the stratum of society from which they came was not stirred very deeply by the Puritan movement. Amongst the trained bands of the northern counties there were even observable some sparks of the old feud with Scotland which had flamed up in many a Border conflict in the olden days. Though the mass of the army was listless and undisciplined, it was not altogether impossible that good officers might, after a time, succeed in inspiring it with something of the military feeling.[1]

Disaffection of the English nobles.

Charles had, however, taken care to gather round him elements of hostility to his enterprise. Dragged against their will to the Borders, and long deprived of the part in the Government which they held to be their due, the English nobles bore no goodwill to a war which, if it were successful, would place them more completely than ever at the feet of their sovereign. If Charles had been quicksighted to perceive that concession in Scotland would bring with it concession in England, they were no less quicksighted to perceive that the overthrow of the Scottish Covenanters would draw with it the erection of an absolute monarchy in England. The first test of their feeling was a proposal of a military oath binding them to fight in the King's cause 'to the utmost hazard of their life and fortunes.' They asked whether these words bound them to place their whole property at the King's disposal. The obnoxious words were accordingly changed for 'the utmost of my power and hazard of my life.' To this all consented except Saye and Brooke. These two Puritan lords flatly refused to take even the modified oath, and were committed to the custody of the Lord Mayor of York.[2]

April 21. The military oath.

Saye and Brooke refuse to take it.

Saye and Brooke were subsequently permitted to retire to

[1] I have come to this conclusion after a study of all the contemporary letters to which I have had access. As long as it was believed that the King had 30,000 men with him on the Borders from the first, his inactivity needed the active disaffection of the army to explain it. Now that it is known that he could put little more than 14,000 into the field such an explanation is unnecessary.

[2] Rossingham's *News-Letter*, April 30, *S. P. Dom.* ccccxviii. 99.

their homes. The King was not without hope that some legal means of punishing them might be found; but the law officers of the Crown advised him that they had not committed a punishable offence. They suggested, however, a means of meeting the difficulty. It was probable, they thought, that the two lords had arrived at York without proper military equipment. In that case a fine might legally be imposed upon them. Charles thought the suggestion a good one; but, as nothing was done, it is not unlikely that inquiry only served to demonstrate that Saye and Brooke had taken good care to comply with the letter of the law.[1]

Coolness amongst the peers.

Though the two lords found no imitators at York, the King soon discovered that the nobility had come rather as spectators than as actors. Amongst them Arundel stood almost alone in urging him to carry on the war with vigour. On the 24th a letter, written on the 19th, was handed to Essex from the Covenanters. They protested that they cherished no design of invasion. They wanted only to enjoy their liberties in accordance with their own laws.[2] Essex handed the letter unopened to the King; but, as the messenger had brought with him an open copy, its contents were soon known. Arundel said that it was 'full of insolence;' but this was far from being the general opinion. The Knight Marshal, Sir Edmund Verney, thought that it was 'expressed with a great deal of modesty,' and Sir Edmund Verney was a typical personage. Attached to the King by long service and ancestral loyalty, he was ready to do whatever duty might require, and to fight, if need be, against the Scots; but he had no heart in the quarrel, no confidence in the undisciplined mob which his master called an army. Laud's proceedings in England he thoroughly disliked, and he could take no pleasure in a war which had been brought about by very similar proceedings in Scotland. For him, as for multitudes of his countrymen, the war, in spite of all that Charles might say about its political character, was *bellum episcopale*—a war waged to restore bishops

April 19. The Covenanters write to Essex.

Opinion of Sir Edmund Verney.

[1] Windebank to the King, May 21, *Clar. S. P.* ii. 45.

[2] The Covenanters to Essex, April 19, *S. P. Dom.* ccccxviii. 9.

to their misused authority.[1] He had heard a Scotchman say, as he wrote in one of his letters to his son at home, that 'nothing will satisfy them but the taking away all bishops.' "I dare say," he added, "the King will never yield that, so we must be miserable."'[2]

On May 1 Charles advanced to Durham. The Scottish Royalist lords, who had fled before the Covenanters, were summoned to hear the proclamation read, and were ordered to return to their estates and to disperse copies amongst their friends in Scotland. Special orders were sent to Sir James Balfour, Lion King-at-Arms, to read it at the Cross at Edinburgh, and to depute heralds to read it publicly in every shire.[3] Charles was not long in discovering that he had reckoned on more obedience than he was likely to find. Not a single Scotchman would take upon himself the odium of reading such a proclamation.

May 1. The proclamation sent into Scotland.

Its reading refused.

The attempt to put pressure on the Scots by the interruption of their commerce had already been made. Scottish shipping arriving in England was arrested. Hamilton on his voyage northwards seized so many Scottish vessels as to be unable to man them, and contented himself afterwards with disarming those which he overtook.[4] On May 1 he had sailed up the Forth. Leith was now strong enough to resist attack. Every hand

Scottish shipping seized.

Hamilton in the Firth of Forth.

[1] Aston's *Iter Boreale* (*Add. MSS.* 28,566, fol. 5 b) puts this strongly: "The expedition, for aught men could then discover, was likely to be tedious, having the ambition of the bishops to foment the quarrel, being as zealous in their revenge that Episcopacy was rejected in Scotland, as James and John were that their Lord and Master was not admitted into the village of the Samaritans; and as if the banishment of bishops out of Scotland had been equivalent to the rejection of our Saviour, there was nothing now with them but forthwith to command fire and sword down from heaven and consume them, but 'twas happy they were rebuked with 'ye know not what manner of spirit ye are of.'" I have to thank Mr. Cartwright, of the Public Record Office, for pointing out to me this narrative.

[2] Verney to R. Verney, April 25, May 5, *Verney Papers*, 225, 231.

[3] Order in Council, May 1, *S. P. Dom.* ccccxx. 1.

[4] Hamilton to the King, April 29, *Ham. Papers*, 76.

that could be spared had been busily employed in working at the fortifications. Women hurried down from Edinburgh to carry earth and stones. Hamilton's own mother appeared with a pistol in her hand, and vowed that she would be the first to shoot her son if he landed to attack the followers of the Covenant. Nor had he much more chance of military success in the open country. The men of Fife and the Lothians turned out in overwhelming numbers to defend their homes, and boastfully sent back, as unnecessary, a reinforcement of twelve hundred men which had been sent to their aid by the Western shires.[1] Nothing was wanting to raise the zeal of the defenders of their country. Preachers assured them that the cause of national resistance was the cause of God. The women of Scotland spoke with no uncertain voice. Mothers bade their sons go forth and quit themselves well in the quarrel which had been forced upon them. Wives cheerfully surrendered their husbands to the uncertainties of war; whilst every youthful volunteer knew well that it would fare ill with him if, after stepping aside from the conflict, he dared to pour his tale of love into the ear of a Scottish maiden. What had Hamilton to oppose to this band of brothers fighting in what they deemed the holiest of causes? His men were utterly undisciplined, and they had no heart in the cause for which they had been sent to fight. He landed them on the two islets Inchkeith and Inchcolm, and there he did his best to turn them into soldiers, whilst he attempted to negotiate with the hostile multitudes on shore.[2]

Leith fortified.

Popular resistance.

Whatever hopes Hamilton brought with him were soon at an end. "Your Majesty's affairs," he wrote on the 7th, "are in a desperate condition. The enraged people here run to the height of rebellion, and walk with a blind obedience as by their traitorous leaders they are commanded; and resolved they are rather to die than to embrace or accept of your proffered grace in your last most gracious proclamation. You will find it a work of great diffi-

May 7. Hamilton's despair.

[1] *Baillie*, i. 201.

[2] De Vic to Windebank, May 7. Norgate to Read, May 9, 16, *S. P. Dom.* ccccxx. 77, 121, ccccxxi. 34.

culty and of vast expense to curb them by force, their power being greater, their combination stronger, than can be imagined." He himself could do little for a long time to come. If the King was in no better condition, he might 'think of some way of packing it up.' The Scots seemed ready 'to offer all civil obedience.' If the King was able to 'suppress them in a powerful way,' he would do his part, 'which will only be the stopping of their trade, and burning of such of their towns as' are 'upon the coast.' Even this he could not promise to do for any length of time, as his provisions would soon be exhausted.[1]

May 8. Aboyne offers to rouse the North.

Before this lugubrious despatch reached him, Charles had been listening to young Aboyne, who had come to offer to rouse the North if only money and arms were placed at his disposal. Charles sent him on to the Forth, directing Hamilton to give him what assistance he could in men, but to be careful not to incur any further expense. He calculated that he had money enough to keep on foot his existing force till the end of the summer. More than this he could not do.[2]

May 9. Verney's opinion of the position.

Others around him were not even so sanguine as this. "Our army," wrote Verney, "consists of two thousand horse and twelve thousand foot, and that is the most, and more by some reasonable proportion both of horse and foot than we shall have with us, or that will come to us, unless Marquis Hamilton's forces come to us. Our men are very raw, our arms of all sorts naught, our victual scarce, and provision for horses worse; and now you may judge what case we are in, and all for want of money to help us till we may be better men, or to bring more men to us. I will write to you again as soon as I hear what the Scots will do in obedience to the proclamation, which certainly will come to nothing."[3]

The proclamation indeed had already come to nothing, but only the vaguest possible rumours of the state of the

[1] Hamilton to the King, May 7, *Ham. Papers*, 78.
[2] The King to Hamilton, May 13, *Burnet*, 136.
[3] Verney to R. Verney, May 6, *Verney Papers*, 232

country across the Borders reached the King's ear. Some said that the Scotch were armed to the teeth. Others declared that their leaders had failed to raise the necessary supplies for the maintenance of an army. "Though many come from those parts," wrote Coke to his brother-secretary, "yet we find so much variety amongst their reports that we know not whom to credit, or what to expect."[1]

Rumours from Scotland.

Already, therefore, Charles was hesitating between negotiation and war. On May 14 he signed a fresh proclamation in startling contrast with the one which had threatened death and confiscation a month before.[2] He now assured his Scottish subjects that he would not think of invading Scotland if only civil and temporal obedience were secured to him. They must, however, abstain in their turn from invading England; and, to give him assurance of this, they must not approach within ten miles of the Border. If this condition were violated, his general would proceed against them as open traitors.[3]

May 14. Issue of a second proclamation.

It was Charles's habit to couch his demands in general terms, the intention of which was seldom defined even in his own mind. The requirement of civil and temporal obedience was perfectly compatible with a re-assertion of all the demands which his Commissioner had made at Glasgow. But it was also compatible with much less; and on the very day on which this proclamation was drawn up, Hamilton was writing a despatch in which he urged his master to content himself with very much less. If the Scots would lay down their arms, surrender the King's castles, express repentance for their faults, and promise to respect his Majesty's civil authority, they might then be allowed to express their objections to Episcopacy in Parliament, when these objections, as well as those which had been produced at the Glasgow Assembly, might, 'as their desire shall seem just or unjust, receive a ratification or denial.'[4]

Its intention uncertain.

Hamilton's proposed surrender.

[1] Windebank to Windebank, May 8. Coke to Windebank, May 9, *S. P. Dom.* ccccxx. 106, 120.

[2] See page 9. [3] Proclamation, May 14, Peterkin's *Records*, 220.

[4] Hamilton to the King, May 14, *Ham. Papers*, 80. *Burnet*, 131.

Such a concession cost Hamilton nothing. He was quite as ready to put himself forward, in 1639, as the vindicator of the Royal authority by taking the initiative in throwing over modified Episcopacy, as he had been to throw over absolute Episcopacy in 1638. It is quite possible, too, that he had taken care again to sound the Covenanting leaders as to their acceptance of a scheme which he now regarded as the only chance of restoring the kingly authority in any shape whatever. By such a course he might gain friends on both sides, as he had attempted to do in the previous year. Such, at least, in the absence of positive evidence, is a probable explanation of the rumours of the time that he was playing a double part.

For the present, Charles evaded an absolute decision. He instructed Hamilton to go on with the negotiation on the basis which he had laid down, and to abstain from any immediate attack, unless a Scotch army should march to the Borders in such strength as to make it absolutely necessary that a diversion should be created. He did not say, and in all probability he did not know, whether he meant Hamilton's negotiation to be carried on seriously, or merely with the object of gaining time till his own preparations were ready.[1]

May 17. Charles's reply.

How inadequate those preparations were, he was himself now painfully conscious. In spite of his acknowledgment that he had not money to keep on foot additional troops, he wrote to order the levy of a reinforcement consisting of 4,000 foot and 300 horse. All his hope of supporting them when they arrived lay in the prospect of a favourable response to his demand for a general contribution for the war, and as yet no signs had appeared that such a response would be given. Fictions, however, cost nothing, and Windebank was directed to terrify the Scots by spreading rumours that this levy of 4,300 would consist of no less than 14,000 men.[2]

Reinforcements ordered.

[1] The King to Hamilton, May 17. Note by the King, May 16, *Burnet*, 131.

[2] The King to Windebank, May 17, *Clar. S. P.* ii. 42.

The quality of Charles's army was not such as to make amends for the deficiency of its numbers. "If the Covenanters meant foul play," wrote an official attached to the Court, "they might make foul work; for our people are not together, and are most unready and undisciplined, as everyone says here. The Scotch bishops are as detested here as by their own, who have expelled both their persons and order. The tales they told at London, that the Scots would disband and run away at our approach in the North, are every day disproved more than other, for they are 40,000 strong at least, and may go where they please, and do what they list. I think that no man, who loves the honour of his prince and safety of his country, but must be sensible of the loss and danger of both by this fatal business, wherein all men are losers, but the King most." [1]

State of the army.

In spite of these alarms, Charles announced his intention of advancing in person to Berwick. Bristol, who had retained in his old age that habit of looking facts in the face which in earlier life had ruined his prospects at Court, said plainly that it would be folly to trust the person of the King so near the enemy with a dispersed and undisciplined army. The military leaders concurred with Bristol; but there are moments when there is no choice between rashness and irremediable disaster, and Charles, who, irresolute as he was in the face of the necessity of decision, was no coward to abandon the post of danger, firmly persisted in his resolution.[2]

May 22. Charles resolves to advance to Berwick.

Whether necessary or not, the resolution was hazardous in the extreme. If Leslie had not around him the 40,000 men with which he was credited at Newcastle, he had at least at his command a well-appointed force of half that number, against which Charles could at this time bring no more than at the utmost 15,000 men. So gloomy did the situation appear, that on the 22nd Charles wrote to Hamilton to be ready at a moment's notice

Risk incurred.

Hamilton ordered to be ready to return.

[1] Norgate to Read, May 16, *S. P. Dom.* ccccxxi. 34.

[2] Mildmay to Windebank, May 24, *S. P. Dom.* ccccxxi. 169.

to bring back his forces from the Firth to join the army on the Borders.[1]

Before these orders reached him, Hamilton had penned another despatch even more despondent than the last. He had been engaged in conferences with the Covenanting leaders, and had taken upon himself to explain the meaning of the civil obedience required by the King's latest proclamation. His Majesty, he said, was not bound to relinquish his negative on the acts of an ecclesiastical assembly, but he was 'confident, that whatsoever should be agreed on by such an assembly, called by his Majesty's command, and when the members should be legally chosen,[2] his Majesty would not only consent unto them, but have them ratified in Parliament.'[3]

May 21. Hamilton's conference with the Covenanters.

Hamilton's letter to the King is so involved as to give rise to the suspicion that he wanted to frighten Charles into the acceptance of these terms. The Scots, he said, would admit of no peace 'unless it be the ratification of their mad acts made in the late pretended General Assembly.' They were resolved to force a battle. The best thing would therefore be for him to send two out of his three regiments to reinforce the Royal army, keeping only one to burn villages on the Firth. Above all things, the King should avoid an encounter. If he kept quiet, the rebels could not keep their forces long together. On the other hand, they might pass round his army and cut him off from his base of supplies at Newcastle. If his Majesty were 'well strengthened with foot,' this might be hindered. "They find," he went on to write, "they are not able to subsist, and therefore take this desperate course; for already they are pinched by stop of

His letter to the King.

[1] The King to Hamilton, May 22, *Burnet*, 133.

[2] This hints at the abolition of the lay elders as electors.

[3] Account of the conference by De Vic, *Burnet*, 133. The paper is not dated; but there is mention of conferences in a letter of May 24 (*S. P. Dom.* ccccxxi. 176); and it is about this time that Burnet places it. The conference cannot have taken place after Hamilton received orders, on the 22nd, to be ready to return, as he states that he will be found where he is 'a month hence.'

trade, and see in fine they must be miserable. Now, hoping in the weakness of your Majesty's army, they intend to venture that which shortly, themselves acknowledge, they must lose, and, for aught I can learn, will either make themselves a commonwealth or a conquered kingdom."

Hamilton at least did not wish to see Scotland either a commonwealth or a conquered kingdom. At the moment he would certainly have preferred to appear as the champion of monarchical government in the State and of presbyterian government in the Church, an arrangement which would at least have the advantage of securing to him both his Scottish estates and the Royal favour. If this interpretation be the right one, his concluding paragraph can only be regarded as an awkward attempt to appear as if he shared his master's probable indignation. He was quite ready, he said, to begin hostilities as soon as he was ordered to do so. He had no hope of any treaty now, and had only engaged in one at all in order to amuse the Scots.[1]

One suggestion at least in this letter took immediate effect. On the 23rd orders were sent to Hamilton to send the two regiments, numbering 3,000 men, to Holy Island. These instructions were at once executed, and on the 28th the much-needed reinforcement arrived off the coast of Northumberland.[2] Hamilton himself remained to seize Scottish merchantmen, and to threaten more damage than he was able to do.

May 23. Two regiments to return.

May 28.

On the day after the order to send the regiments had been despatched, news reached Newcastle[3] which must have made the King wish that he had larger forces to leave in Hamilton's hands. In the North, Huntly's friends had risen against their Covenanting neighbours, had fallen upon a body of them at Turriff on the 14th, and had driven them out of the place. The Trot of Turriff, as this first skirmish of the long Civil War was called, inspirited the

May 14. The Trot of Turriff.

[1] Hamilton to the King, May 21, *Ham. Papers*, 83.

[2] Note by the King, May 23, *Burnet*, 133. De Vic to Windebank, May 26, *S. P. Dom.* ccccxxii. 28, 62.

[3] Mildmay to Windebank, May 24, *ibid.* ccccxxi. 169.

victors to follow up their advantage, and the Gordons pushed on to occupy Aberdeen, where they lived at free quarters on the few partisans of the Covenant in the place. Their triumph did not last long. On the 24th they were driven out by the Earl Marischal. On the 25th Montrose was back again with a strong force to occupy the town. Acts of pillage were committed by the soldiery; but Montrose refused to give up to a general plunder even that hostile city which, as the Presbyterians were never tired of asserting, had earned the fate of Meroz in refusing to come to the help of the Lord against the mighty.

May 15. The Gordons at Aberdeen.

May 25. Montrose occupies the town.

It was long before the news even of the Trot of Turriff reached Hamilton's fleet. It was unknown on the 29th, when Aboyne arrived with a number of Scottish lords sent by the King to get what help they could. Hamilton had now only one regiment left, and, even if he wished to help Aboyne, it was little indeed that he could do. If the King, he wrote, would send 5,000 men, and money to pay an equal number of Scots, something might be done. He himself, as the King well knew, had neither the men nor the money. Two days later Hamilton had heard of the rising in the North. He sent off Aboyne without delay, and he asked the King to despatch the force which he had mentioned in his last letter. Of this force he wished to take the command in person. With ten or twelve thousand pounds he could do much.[1]

May 29. Aboyne with Hamilton.

May 31. Hamilton asks for an army.

Charles would have been sorely puzzled to spare such a sum from his meagre resources. Yet, difficult as his position was, he was not despondent. His last proclamation had received an answer which can hardly have been to his mind. The Scots declared themselves quite ready to keep the prescribed distance of ten miles from the Borders, if he would on his part withdraw his army and his fleet.[2] Leslie in the meanwhile had taken up his post at

May 25. The Scottish answer to the last proclamation.

[1] Hamilton to the King, May 29, 31, *Ham. Papers*, 89, 90.

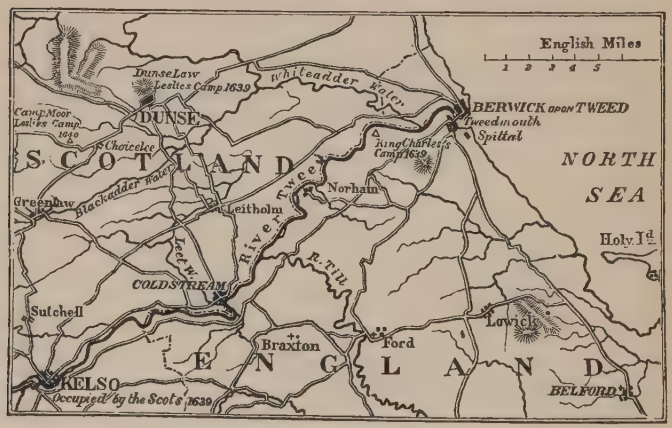
[2] The Scottish Nobility to Holland, May 25, Peterkin's *Records*, 222.

Dunglas, between Berwick and Dunbar, ready for peace or negotiation.

For negotiation as between equal and equal, Charles was not yet prepared. As he rode into Berwick on the 28th he could witness the landing of Hamilton's men,[1] and he felt himself safer than before. On the 30th he left Berwick for the Birks, a piece of ground on Tweedside, about three miles above the town, and took up his quarters under canvas in the midst of his soldiers. Once at the head of his men, he fretted at the tame submission which so many of his counsellors recommended. All that day he was on horseback, riding about to view the quarters of the men. Raw and untrained as they were, these hasty levies warmed with the prospect of a combat. "One thing," wrote an onlooker, "I must not conceal, which I care not if all Europe knew, that no nation in the world can show greater courage and bravery of spirit than our soldiers do, even the meanest of them, in hope of fight, which they extremely desire; upon the first intimation of the Scots' approach, and their dislodging and new camp upon the face of the enemy,

May 28. Charles at Berwick.

May 30. The King in camp.



[1] Borough to Windebank, May 28, *S. P. Dom.* ccccxxii. 63.

they cast up their caps with caprioles, shouts, and signs of joy, and marched by force in the morning to their new station with fury." [1]

At the head of such men Charles might well believe that in time everything would still be possible. In the immediate present very little indeed was possible. He could not send his enthusiastic but undisciplined levies to storm Leslie's camp at Dunglas. He would therefore make one more effort to win over the Scottish peasants in his vicinity by those tempting offers of a diminution of rent which had been embodied in the proclamation issued in April,[2] and which, as he believed, needed only to be heard to be accepted with joy. As an Edinburgh preacher expressed it, he was eager to address the humble Scottish Covenanter in the words of the Satanic temptation: "All these things will I give thee, if thou wilt fall down and worship me." [3]

Charles determined that the first experiment should be made at Dunse. No lesser personages than Arundel and Holland, the commander of the whole army and the General of the Horse, were to be the bearers of the King's gracious declaration to the peasant, and of his fierce denunciation of the landlord. When Arundel rode into Dunse in the early morning, not a man was to be seen. The women came out into the street, threw themselves on their knees, as their grandmothers had doubtless done to the leaders of many a Border foray, cursing Leslie and beseeching the English general 'for God's sake not to burn their houses, kill their children, nor bring in popery, as Leslie had told them the King meant to do.' Arundel spoke them fairly, assuring them of his protection, and ordering that the proclamation should be read in their hearing. When the ceremony was over, a few men stole out of their hiding-places, and a market was soon established. Arundel did his best to create a good impression in the country by directing his men to pay for everything that they took, and the Scotchmen took good

May 31. Arundel sent to Dunse.

June 1.

[1] Norgate to Windebank, May 28, *S. P. Dom.* ccccxxii. 62.

[2] See page 9.

[3] *News-Letter*, May 24, *ibid.* ccccxxi. 177.

care to ask exorbitant prices for the stock of milk and oaten cakes which was all that they possessed.

Of such services Charles's army was not incapable. But it had no confidence in its leaders, no habitual restraint under the rules of military life. The men fired off their guns at random in the camp. Officers complained of bullets perforating the canvas of their tents. Even the King's pavilion was pierced by a shot. For all this, Charles was strangely confident. He refused, indeed, Hamilton's request for men for a great expedition to the North, but he refused it on the ground that he was himself on the point of assuming the aggressive. Not a few of the Lords beyond the Border had already been gained over to his side, and it would be a shame to be idle. "Wherefore now," he ended, "I set you loose to do what mischief you can do upon the rebels for my service with those men you have, for you cannot have one man from hence." [1]

Want of discipline.

June 2. The King prepares to take the aggressive.

The numbers of Charles's army had lately been considerably increased. With the new reinforcements and with regiments returned from the Firth, he could now reckon upon 18,000 foot and 3,000 horse.[2] But the very improvement in one respect brought with it a fresh danger in another. The larger the army grew, the more difficult it was to maintain it. Before the end of May the Lord Treasurer and the Chancellor of the Exchequer had lost all hope. The revenue, they declared, was completely exhausted. Cottington averred that even before the King left London he had in vain 'searched every corner from whence any probability of money could be procured.' The only

Numbers of the army.

Financial difficulty.

[1] Borough to Windebank, June 3, 7; Windebank to Windebank, June 3; Norgate to Read, June 3, *S. P. Dom.* ccccxxiii. 12, 13, 16. The King to Hamilton, June 2, *Burnet*, 138.

[2] The account given by *Rushworth* (iii. 926) is, after deducting the Carlisle garrison of 1,300 men, in exact figures 18,314 foot and 3,260 horse. It is shown by comparison with the account of the Treasurer of the Army (see note at p. 385 of Vol. VIII.) to belong to the first days of June. Some of the forces mentioned are not borne on the Treasurer's accounts, and were probably paid from special funds in Charles's hands.

chance of finding pay for the army lay in that general contribution which had been demanded in April. The Council had long ceased to be sanguine of a favourable reply. "Hitherto," wrote Windebank, "we have very cold answers, which, though they be not direct refusals, are almost as ill; for they bring us no relief nor no hope of it. Some petty sums, and those very few, have been offered. So that my lords begin to apprehend this will be of little consideration, and to use compulsory means in these distempered times my lords are very tender, and apprehend it may be of dangerous consequence." [1]

It was hard to say what answer could be made to this. By leaving just claims unpaid, and by anticipating the revenue to the extent of about 150,000*l.*, the army had hitherto been kept on foot, though its expenditure after the late reinforcements might be approximately reckoned at the rate of 750,000*l.* a year. As to the general contribution of which Windebank spoke so despondingly, it was found at the end of July, when money ceased to come in, to have amounted in all to 50,000*l.* Of this 15,000*l.* were produced by the sale of the Mastership of the Rolls to Sir Charles Cæsar.[2] Of the remaining 35,000*l.*, 2,200*l.* came from a nobleman too sickly to follow the King in person, and 24,395*l.* were paid by the clergy, the class of all others most deeply interested in the King's success, and most amenable to pressure from above. The whole amount contributed by the laity of England barely exceeded 8,400*l.*, and the greater part even of this was provided by judges and other legal officials, who were almost as amenable to pressure as the clergy. The unofficial contributions certainly did not exceed 3,000*l.*, if indeed they reached anything like that sum.[3]

The general contribution.

One source of supply, indeed, was still open. The Queen

[1] Windebank to the King, May 24, *Clar. S. P.* ii. 46.

[2] I have no absolute evidence of this; but I find that Uvedale, the Treasurer of the Army, paid into the exchequer a sum of 15,207*l.* 7*s.* on March 30. Two days after we learn from Garrard of Cæsar's payment. Unless there had been something to conceal, Uvedale would have kept this money in his own hands, and it does not appear how it reached him.

[3] *Breviates of the Receipt.*

had urged the Catholics to testify their gratitude by a donation to the King in his time of need. She did not find them in a liberal mood. They counted the reduced fines which they were still forced to pay, as so much injustice, and they had some suspicion that the Puritans might after all get the upper hand. Walter Montague, too, who was employed as the Queen's agent in the matter, was not much more popular with the old Catholic families than hot-headed converts usually are with those whose religion is inherited from their ancestors. Yet a demand made by the Queen was hardly to be rejected, and, after a long discussion, the Catholics agreed to present the King with 10,000*l.* at Midsummer, and a similar sum at Michaelmas.[1] Such a sum would not support the army much more than a week. Another plan of the Queen's did not achieve even this amount of success. She proposed that the ladies of England should combine to present the King with a substantial token of their regard.[2] Either the ladies took no great interest in the Royal cause, or their purses were too much under the control of their husbands to open readily. No money reached the King from this quarter.

The Catholic contribution.

Proposed ladies' contribution.

June 4. The City to be applied to for a loan.

In this stress the King wrote to his Council in London to send him 10,000*l.* at once, and to require the Lord Mayor and Aldermen to provide a loan, as a matter in which his Majesty would take no denial.[3]

[1] Con's letters are full of this affair. Compare *Rushworth*, ii. 820. The letter printed at p. 821, as a letter from the Pope to his Nuncio, is an evident forgery, as it states that the Catholics had been offering men for the Northern expedition, which is untrue. Rossetti, writing on $\frac{\text{Jan. 22,}}{\text{Feb. 1,}}$ 1641 (*R. O. Transcripts*), says that a forged letter, said to be brought by him to Toby Matthew, was printed about this time, and I suspect that this is the one.

[2] Rossingham's *News-Letters*, *Add. MSS.* 11,045, fol. 9.

[3] Windebank to the King, June 8. The King's letter is not preserved, but it seems to have reached London on the 6th, and so to have been written on the 2nd. According to Salvetti, orders were given to levy ten or twelve thousand men (Salvetti's *News-Letter*, June $\frac{14}{24}$); but this is

Charles's power of making use of the army which he found it so difficult to maintain was soon to be brought to the test. On the 3rd news came into the camp that a considerable Scottish force had established itself at Kelso—an indication that the Scots considered themselves released by Arundel's raid upon Dunse from any obligation to keep within the limit of ten miles from the Border which had been imposed upon them by the King. Orders were therefore given to Holland to take with him 3,000 foot and 300 horse to drive them out.

June 2.

June 3. The Scots at Kelso.

The day was hot and dusty, and the infantry straggled along weary and footsore. Yet their officers believed that, inexperienced as they were, they would have acquitted themselves well if they had come to blows.[1] That day no opportunity was given them to display their courage. Riding hastily forward at the head of his horse, Holland found himself face to face with a Scottish force advancing to meet him. His men perhaps exaggerated the numbers of the enemy as six, eight, or even ten thousand, and it was averred by some that an additional force of 3,000 Highlanders was lying in ambush armed with bows and arrows.[2]

Holland's march to Kelso.

doubtless only the echo of the false rumour which Windebank was to give out. See p. 17.

[1] Dymock to Windebank, July 5, *S. P. Dom.* ccccxxv. 21.

[2] Account of the Campaign, Bodl. Lib. *Rawlinson MSS.* B 210. Aston, who after the cessation of hostilities visited Leslie's camp on Dunse Law, was startled by the look of the Highlanders there, 'whose fantastic habit caused much gazing by such as have not seen them heretofore. They were all, or most part of them, well-timbered men, tall and active, apparelled in blue woollen waistcoats and blue bonnets, a pair of bases of plaid and stockings of the same, and a pair of pumps on their feet, a mantle of plaid cast over the left shoulder and under the right arme, a pocket before for the knapsack, and a pair of dirks on either side the pocket. They are left to their own election for their weapons. Some carry only a sword and targe, others muskets, and the greater part, bow and arrow, with a quiver to hold about six shafts, made of the mane of a goat or colt, with the hair hanging on, and fastened by some belt or such-like so as it appears almost a tail to them. These were about 1,000, and had bagpipes—for the most part—for their warlike instruments. The Lord

Holland at first proposed to fall back on the infantry, and to make the attack with both arms. But he soon discovered that he was far outnumbered, and preferred to send a trumpeter to the Scots to ask them what they were doing within the ten miles' limit. The Scots asked him scornfully in return, what he was doing in their country. He had better be gone, or they would teach him the way. There was nothing for it but to retreat to the camp beyond the Tweed.[1]

Holland's retreat.

Holland was but a carpet knight, and contemporaries and posterity have combined in jeering him on his failure. Yet it may be doubted whether the most practised soldier would have acted otherwise. He was entrusted with a reconnaissance in force, and finding the enemy too strong to be prudently attacked, he brought his men back in safety.[2] In any ordinary army such a proceeding would be taken as a matter of course. Charles's was not an ordinary army. It had nothing but its reputation to subsist on, and its reputation was not enough to endure even an apparent check.

June 3.

In fact, it was not merely the retreat which spread alarm in the camp. Men began to ask one another how it was that the Scots had been prepared to meet Holland's movements. A suspicion arose, which was probably justified by fact, that every

Buchanan was their leader. Their ensigns had strange devices and strange words, in a language unknown to me, whether their own or not I know not." *Add. MSS.* 28,566, fol. 23 b. In the edition of Nares' *Glossary* by Halliwell and Wright, 'bases' is explained as 'a kind of embroidered mantle which hung down from the middle to about the knees or lower, worn by knights on horseback.' This is practically a kilt, and if this interpretation is correct, the question of the late introduction of the kilt in the eighteenth century is settled in the negative. The use of the expression 'fantastic habit' points in the same direction.

[1] Coke to Windebank, June 4; Mildmay to Windebank, June 4; Norgate to Read, June 5; Weckerlin to Conway, June 6, *S. P. Dom.* ccccxxiii. 21, 22, 29, 49.

[2] Aston attributes the retreat to the military officers under Holland. "The Lieutenant-General Goring," he says, "and Commissary Wilmot persuaded my Lord Holland to retreat, which considerations and the King's command by letters to that purpose caused them to retire." *Add. MSS.* 28,566, fol. 22 b.

movement of the English army was known to Leslie, whilst the manœuvres of the Scottish army were covered by a wall of impenetrable darkness. "The truth is," wrote Verney to his son, "we are betrayed in all our intelligence, and the King is still made to believe in a party that will come to him; but I am confident he is mightily abused in it, for they are a people strangely united. . . . I think the King dares not stir out of his trenches. What counsels he will take, or what he will do, I cannot divine; but if this army be lost that we have here, I believe the Scots may make their own conditions with England, and therefore I could wish that all my friends would arm themselves as soon as they could. We want money to exercise our army, and the strength we have here will only defend ourselves. I do not conceive it of force to do any harm to them, so we daily spend our money and our honour together."[1]

June 4. Despondency in the camp.

The day which witnessed Holland's retreat brought still more alarming tidings. Leslie, it was said, had broken up his camp at Dunglas, and was in full march to the Border. In hot haste a messenger was despatched to Hamilton, bidding him to desist from all warlike operations, and to come in person to Berwick to advise the King. His Majesty, he was told, was now resolved to keep on the defensive.[2]

Leslie breaks up his camp.

The resolution thus taken was not altogether voluntary. Before leaving him at Whitehall, Hamilton had warned Charles that Englishmen would not fight in this quarrel, and Charles now ruefully acknowledged that the prediction had proved true.[3] Above all, the English nobility had no wish to prolong the war. Even those who had no sympathy with Puritanism were deeply aggrieved by their systematic exclusion from all posts of influence, and they had no desire to aid the King to a triumph which would make the prospect of a Parliament more distant than ever. Others again were loth to strike a blow against the opponents of Episcopacy

Reluctance of the English nobility to fight.

[1] Sir E. Verney to R. Verney, June 4, *Verney Papers*, 243.

[2] Vane to Hamilton, June 4 (misprinted July), *Burnet*, 139.

[3] *Burnet*, 140.

in Scotland, whilst bishops in England were exercising powers so unwonted and so harsh. The common soldiers, too, when once the excitement of impending combat was removed, sank into listless dissatisfaction. Their condition at the Birks was not one of comfort. They were left all night to lie on the bare ground, with such shelter from the wind as they could make by throwing up walls of turf, and laying branches of furze across them. Not a tree was to be found for many miles to offer timber for the construction of huts. The Tweed, where they were, was too salt to drink, and beer was sold at 3*d.* the quart—a price equivalent to at least a shilling now. The smallpox broke out amongst these ill-cared-for troops, and carried off its victims. The deserters were numerous. The chief employment of those who remained was the chase after the vermin by which their persons were infested, and which were known as Covenanters in the rude language of the camp.

State of the soldiers.

On June 5, when the discouragement caused by Holland's failure was at its height, Leslie appeared on the scene. The army from Dunglas, some 12,000 strong, tramped into Dunse, the little town where Arundel had read the King's proclamation to the women less than a week before. Leslie at once took up his position on Dunse Law, an isolated hill which rose just in sight of the King's camp, eleven or twelve miles distant. Charles received the intelligence with his usual imperturbability. Stepping in front of his tent he examined through a telescope the tents which were already rising on the hill. "Come, let us go to supper," he said at last; "the number is not considerable."[1]

June 5. Leslie on Dunse law.

Counting the troops at Kelso and the neighbouring villages, Leslie had an army of 20,000 men upon the Borders. In mere numbers the King's forces had a slight superiority, but the Scots made up in the quality of their men

The Scottish army.

[1] Account of the campaign, Bodl. Lib. *Rawlinson MSS.* B 210. Weckerlin to Conway, June 6, *S. P. Dom.* ccccxxiii. 49. "I know not," wrote Aston, "how well the King was satisfied, but he was as inquisitive and curious as might be, and came to the bulwark with his perspective, and there stood viewing and counting the tents a long while." *Add. MSS.* 28,566, fol. 21.

for the numerical deficiency. There was no lack in their camp either of money or provisions. The taxation levied by the Tables had been on the whole cheerfully paid, and the rents of those who refused to take the Covenant had been seized for the use of the defenders of the country. The voluntary contributions of the citizens of Edinburgh did the rest. The 'stout young ploughmen' who had come forth to fight round the banners which bore the rallying cry, "For Christ's Crown and Covenant," were well pleased to satisfy their hunger on the wheaten bread and the legs of lamb which 'was a dainty world to the most of them.' Not everything, indeed, in this Covenanting army was to the mind of the pious ministers who had left their parishes to fan the flame of zeal amongst the soldiers. In that army were to be heard the singing of psalms and the fervent accents of prayer; but there was also to be heard the sound of 'swearing and cursing and brawling.'[1] If piety was not everywhere to be found in Leslie's camp, there was at least military discipline. The Scottish nobility set an excellent example of subordination. Englishmen who carried messages from Hamilton's fleet to the Covenanting leaders remarked with surprise that highborn nobles sat uncovered in the presence of the dwarfish and deformed man whom they had chosen to be their master in the art of war.[2] Baillie, who had come to act as chaplain to the host, was unable to restrain his admiration. "Our soldiers," he wrote, "grow in experience of arms, in courage, in favour daily; every one encouraged another, the sight of the nobles and their beloved pastors daily raised their hearts, the good sermons and prayers, morning and even, under the roof of heaven, to which their drums did call them for bells; the remonstrances, very frequent, of the goodness of their cause, of their conduct hitherto by a hand clearly Divine; also Leslie's skill and fortune, made them all so resolute for battle as could be wished. We were feared that emulation among our nobles might have done harm when they should be met in the fields;

Discipline of the army.

Baillie's description of the army.

[1] *Baillie*, i. 212.

[2] De Vic to Windebank, May 23, *S. P. Dom.* ccccxxii. 28.

but such was the wisdom and authority of that old, little, crooked soldier, that all, with an incredible submission from the beginning to the end, gave over themselves to be guided by him as if he had been great Solyman. Certainly, the obedience of our nobles to that man's advices was as great as their forbears wont to be to their King's commands; yet that was the man's understanding of our Scots' humour, that gave out, not only to the nobles, but to very mean gentlemen, his directions in a very homely and simple form, as if they had been but the advices of their neighbour and companion; for, as he rightly observed, a difference would be used in commanding soldiers of fortune, and of soldiers volunteers, of which the most part of our camp did stand." [1]

[1] *Baillie*, i. 213.

CHAPTER LXXXIX.

THE TREATY OF BERWICK.

SOME days before the appearance of the Scottish army on Dunse Law a letter had arrived from Wentworth, entreating that the attack upon Scotland might be postponed for a year, when the English preparations would be more complete. "Fight not," the Lord Deputy had written, "with an imperfectly disciplined and knowing army."[1] Yet Charles, who knew better than Wentworth how impossible it was to keep his army together even through the summer, must have smiled bitterly as he read the well-meant advice. He had, indeed, one hope still before him. He had asked Wentworth to send over to the West of Scotland 1,000 men out of his own small Irish army, which now numbered only 3,000 in all,

1639. March 21. Wentworth advises the postponement of an attack.

Wentworth to send troops to Scotland.

[1] Wentworth to Vane, May 21, *Melbourne MSS.* It would be interesting to know whether there is any foundation for the charge against the Covenanters made in this letter:— "The insolence of those Covenanters," wrote Wentworth, "is beyond all modesty or bounds, and, it seems, pride themselves in the justice of their cause and strength of their party. May they be as much mistaken in this latter—as I trust they either are or will be—as they are in the former, and they may truly be pronounced the most miserable lost people that ever were in the Christian world. Their admitting of Popish lords into their party will show what their religion is, perchance, to the holy brotherhood in England, and—if that for their hypocritical winking and wringing [?] at their prayers, God have not struck them stone blind—let them see that this is not a war of piety for Christ's sake, but a war of liberty for their own unbridled inordinate lusts and ambitions, such as threw Lucifer forth of heaven, and may, without their repentance, bring these to shake hands with those gainsaying spirits below."

together with any troops which Antrim might be able to raise. In this way Charles hoped to place Leslie between two fires.

Wentworth's reply, directed to Vane, dashed the cup from Charles's lips. "I confess," wrote the Lord Deputy, "my desire is His Majesty should not provoke them as yet; rather to lie still on the border till towards the end of August, entrenching his army the whilst, and continually exercising his men to gain them the knowledge of their profession. . . There is more need of a Fabius amongst us than of a Marcellus."

May 30. Wentworth pleads for delay.

As for himself, Wentworth declared that he was ready to obey orders, whatever they might be; but he wished it to be known that to send soldiers out of Ireland would be to court disaster. Antrim was in no condition to move, and the whole of his own small force was needed where it was. "There are," continued Wentworth, "100,000 at least of the Scottish nation on this side; and whether their inclination be with the Covenanters you may well suspect. . . The whole province of Connaught is as yet unsettled, and impossible that people can take delight in the fulfilling the services of the Crown in that plantation;—nay, that it can be indeed effected without some discontentments and grumblings in the parties interested. Be yourself the judge whether we ought to expect other, when he that loseth least is to have a full fourth of all his lands taken from him for the King." Similar plantations, he added, were on foot in Munster with the like results. Last winter 'the beggarly desperate natives' had fallen 'into a very wicked course of burning the Englishmen's houses' in several counties; and though most of them had been taken and executed, excesses of the same kind were to be feared the moment that the pressure of the army was withdrawn.

If, however, Wentworth could not land in Scotland, he was ready to make the Scots think that he meant to do so. He had already half his army stationed at Carrickfergus. If it was thought desirable, he would lead the remainder in person to the same station. In one month he could be joined by all the men who were subject to military service in Ulster, and could collect all the shipping, so as to make the

Wentworth's offer.

Scots think that he purposed to effect a crossing. "By which means," he explained, "I shall raise such a rattle as may occasion, perchance, them to rest the less; howbeit it will not in the conclusion have with it that dangerous sting which the rattle-serpents we hear of in Virginia are reported to carry with them in their tails."[1]

As it was still possible that even this threat of invasion might not be sufficient to keep the Scots from invading England, Wentworth had yet one more suggestion to make. "If," he wrote, "their present strength be in any proportion equal to his Majesty's forces, methinks it were good, by quietness and show of treaty, to amuse them and spin out this summer as much as possibly may be, so wasting them *à petit feu*, and dissolving them through their own wants, distastes, and discontentments among themselves."[2]

The last suggestion was well suited to make an impression on Charles's mind. Yet even if he had wished to adopt it, it was out of his power to adopt it as a whole. Wentworth wished him to treat whilst his army kept guard upon the Borders. Charles knew perfectly well that he could not keep his army long enough together to make a fictitious negotiation of any value at all. If he did not treat in earnest, it would soon be too late to treat at all. Even whilst he could keep his army together he had nothing to oppose to the combination of military discipline and national and religious enthusiasm which formed the strength of the Scottish army.

Charles is unable to accept it.

June 6. The Scots shrink from invading England.

Brave as his English followers individually were, Leslie, if he had chosen to attack them in their bivouac at the Birks, would have driven them like chaff before the wind. If Charles should make up his mind to treat he would find the Scots ready to meet him half-way. There were shrewd heads in the Scottish camp, who knew better than to court a perilous victory. They were now contending with Charles. If English soldiers were driven in headlong rout, and if the tramp of a Scottish army were heard on English soil, it might very well be that they would

[1] Wentworth's knowledge of rattlesnakes was evidently not great.

[2] Wentworth to Vane, May 30, *Melbourne MSS.*

have to contend with an insulted nation. In Parliament, or out of Parliament, supplies would no longer be withheld, and the invaders would meet with a very different force from that which was now before them.

Whilst the Scots were in this frame of mind,[1] and, as far as it is possible to calculate, just after Charles had received Went-

The offer to negotiate.

worth's letter, one of the King's Scotch pages visited their camp and recommended his countrymen to open a negotiation. They at once sent the Earl of Dunfermline to request the King to appoint commissioners to treat, and to assure the English nobility that they had no wish to throw off their allegiance to the Crown. Charles laid it down as a condition of the negotiation that they must first read his proclamation denouncing their leaders as traitors. As usual, they were perfectly ready to give obedience in the letter. A few of the very men who were denounced assembled in a tent to hear the proclamation read. On them the threat of the confiscation of their lands was not likely to make much impression. Yet with this hollow form Charles was forced to content himself. The disposition to avoid a battle, which had long prevailed amongst the men of rank in the English camp, had now spread to the common soldiers. They had learned by this time that money was running short, and they knew by experience that bread and beer were growing scarce. "A great neglect there hath been," wrote one who was on the spot, "in those who had the charge of providing for the soldiers, for they have wanted exceedingly since their coming, yet have been very patient; but now there is strange doctrine spread in the camp and swallowed by the officers and soldiers, so that it is time to make an end of this work. The clergy that are in this camp doth carry themselves so indiscreetly, as also the Scottish bishops and clergy here, that I assure you they do much hurt his Majesty's affairs by their violence." Bristol bluntly spoke

The proclamation privately read.

The English reluctant to fight.

[1] As early as the beginning of the month there had been talk of a negotiation, but the King would admit of no treaty unless his houses and castles were first given up. Widdrington to Lord Fairfax, Jun 3, *Fairfax Correspondence*, i. 367.

out what was doubtless in the thoughts of all. Most of the lords, he said, were resolved to petition for a Parliament. The lords, indeed, disclaimed any such intention; but the unspoken thought was, we may well believe, in the minds of all of them.[1]

On the afternoon of the 7th Hamilton appeared in Charles's camp. He had to tell how Aboyne had reached Aberdeen, and had driven the Covenanting forces to retire by his mere presence in the roads. But he could not say that this diversion was likely to be of any permanent benefit to the Royal cause. Aboyne had written to him urgently for supplies. Even if he had had supplies to give, he was already on his way to Berwick by the King's orders before he received the letter.[2]

June 7. Hamilton at the camp.

June 2. Aboyne at Aberdeen.

June 7. Hamilton is unable to support him.

Hamilton had every reason to be satisfied with the temper of his royal master. The negotiation which had already been informally opened on the Borders was merely a continuation of that which had been set on foot by himself. He would now be present to watch over its progress. The day after the illusory reading of the proclamation at Dunse, Dunfermline returned to ask for a safe-conduct for the Scottish negotiators. Hamilton was there, to whisper that it would be wise to consent to the abolition of Episcopacy, and even to the Covenant itself. In time the discontented nobility would be gained over by favours, and better times would come.[3]

The negotiation on the Borders.

Hamilton's advice.

Such advice was too consonant with Charles's nature not to find entrance into his mind. He may not have intended foul play; but, even if he did not, his inborn incapacity to look facts in the face would lead to much the same result as if he had been a deliberate trickster. He doubtless believed firmly that the Presbyterian experiment would before long prove intolerable, and he did not wish to bar the door against the restitution

[1] Mildmay to Windebank, June 10, *S. P. Dom.* ccccxxiii. 67.

[2] *Burnet*, 140. *Spalding*, i. 200. Spalding charges Hamilton with having deserted Aboyne in defiance of orders from the King. This is plainly a mistake. Even when Aboyne was in the Forth, Hamilton had but one regiment with him.

[3] *Burnet*, 140.

of the more perfect system. A man of a larger mind might have felt in precisely the same way; but he would have declared openly what his hopes were, and in so doing he would have inspired confidence where Charles only inspired distrust.

On the 11th the conference was opened in Arundel's tent between six commissioners from the Scots and six commissioners from the King. Scarcely had the negotiators taken their places, when Charles himself stepped in. He assumed that tone of superiority which was natural to his position. He was there, he said, to show that he was always ready to listen to his subjects, and he expected them to act as was becoming to subjects.

June 11. Opening of the conference.

The King appears to take part in the negotiation.

From this position he never departed. He had come not as a diplomatist but as a judge. "I never took upon me," he said, "to give end to any difference but where both parties first submitted themselves unto my censure, which if you will do, I shall do you justice to the utmost of my knowledge, without partiality." "The best way," he said afterwards, "were to take my word, and to submit all to my judgment."

In the discussion which followed, Charles showed great dialectical skill. He seized rapidly on the weak points of the Scottish case, and exposed them without ostentation or vindictiveness. The strength of the Scottish case lay outside the domain of dialectics. All sorts of questions might arise about the composition of the Assembly, about the vote of the lay elders, and about the pressure exercised by the Tables at the time of the election. The arguments by which the Scots were ready to prove that the decisive authority in ecclesiastical matters resided in the Assembly which had met at Glasgow were neither more nor less convincing than the arguments by which Charles was ready to prove that it resided in himself. The true answer for the Scots to have made would have been that, whatever might have been the legality of the forms observed, the Assembly had had the nation behind it. This, however, was precisely what the Scottish Commissioners never thought of saying, and by leaving it unsaid they left the honours of the dispute with Charles.

His dialectical skill.

What was wanting to the Scots in argument was amply made up to them by the presence of Leslie's army on Dunse Law. Whether the Scottish nation had the right to settle its own affairs in the teeth of Charles's opposition might be open to argument. It was clear enough now that it was strong enough to do so. Charles's own army was no more ready for battle than it had been before, and every day brought him worse news from the South. Without fresh supplies of money his army would soon dissolve from want of pay, and he had not much hope left that those supplies would be forthcoming.

The military position.

Windebank's report of a fresh attempt to obtain a loan from the City was most discouraging. The Council, indeed, had been busily employed in forcing all Scotchmen resident in England to take an oath of Wentworth's invention, binding them to renounce the Covenant.[1] Oaths, however, brought no money into the exchequer. On the 7th the Lord Mayor, having been summoned by the Council, appeared with such a scanty following of aldermen, that he was ordered to go back and to return on the 10th with all his brothers. When the aldermen at last made their appearance, they were told that the King expected from them a loan of 100,000*l.* The war was even more unpopular in London than in other parts of England. Trade was suffering, and the recent confiscation of the Londonderry charter was rankling in the minds of the aldermen. They replied that it was impossible to find the money. The Council told them that it must be done. Cottington said they ought to have sold their chains and gowns before giving such a reply. They were ordered to appear once more on the 12th with a final answer.

June 7. The Lord Mayor before the Council.

June 10. A loan demanded.

Even within the Council there were signs of dissatisfaction at this high-handed course. Coventry and Manchester sat silently by whilst threats were used. "The rest," wrote Windebank, "are of opinion that either your Majesty should command the City to furnish 6,000 men at their own charge for the reinforcing your army, or else send

Windebank's advice.

[1] *Council Register*, June 5. Rossingham's *News-Letter*, June 18, *Add. MSS.* 11,045, fol. 29.

for six or eight aldermen to attend you in person at the camp, which the other two lords do not like, but hold dangerous in these times; and in case the City should refuse the former, they know not how they can be compelled to it. I am humbly of opinion that both should be done, and if the former be refused, the chief officers of the City are answerable for so high a contempt: if the latter, the aldermen whom you shall summon to attend are finable." [1]

Whilst Windebank was suggesting counsels so wild as these, the Queen was trembling lest the two armies should come to blows. At the suggestion of the adventurous Duchess of Chevreuse, she proposed to hasten to the camp, that she might adjure her husband not to expose his person to the risks of war.[2]

The Queen proposes to visit Berwick.

The contents of Windebank's despatch saved Charles from this embarrassing proof of wifely affection. On the 12th he learned that the Lord Treasurer had scraped together 20,000*l.* for the needs of the army.[3] By the 15th he must have known that nothing was to be had from the City,[4] and on that day he despatched an answer to the Scots in which he practically accepted their terms. There was still some haggling over details, and it was not till the 17th that his answer assumed its final shape.[5] On the 18th the treaty was signed.

Deficiency of supplies.

The Scottish terms accepted.

June 18.

Signature of the Treaty of Berwick.

By this treaty the Scots engaged to disband their troops, to break up the Tables and all unlawful committees, and to restore the royal castles to the King's officers. In return Charles engaged to send back his soldiers to their homes, and to issue a declaration in which he was to assure his subjects that, though he could not ratify the acts of the pretended

[1] The King to the Lord Mayor and Aldermen, June 4, *S. P. Dom.* ccccxxiii. 20. Windebank to the King, June 8, 11, *Clarendon S. P.* ii. 53, 54.

[2] Con to Barberini, June $\frac{14}{24}$, *Add. MSS.* 15,392, fol. 176.

[3] Note by the King, June 12, *Clarendon S. P.* ii. 54.

[4] Windebank's letter of the 11th must have reached him by that date.

[5] Compare the first draft (*S. P. Dom.* ccccxxiii. 107) with the final treaty, *Burnet* 141.

Assembly of Glasgow, he was pleased that all ecclesiastical matters should be determined by Assemblies, and all civil matters by Parliaments and other legal judicatories. On August 6 a free General Assembly was to be held at Edinburgh, and on August 20 a Parliament was to follow. In this Parliament, in addition to other acts, an act of pardon and oblivion was to be passed.[1]

The pacification of Berwick came just in time to save from extinction the last remnants of a Royalist party in the North.

The war in the North.

On the very day on which the treaty was signed, Montrose fell upon Aboyne at the Bridge of Dee close to Aberdeen. Though Aboyne's Highlanders withdrew in terror before the mother of the musket, as they styled Montrose's cannon, the men of Aberdeen and the Royalists of the Northern Lowlands held out firmly, and it was not till the afternoon of the second day that the position was forced.[2] The

June 19. Storming of the Bridge of Dee.

storming party was led by Middleton, a rude soldier for whom a strange destiny was reserved. He lived to receive an earldom without any special merits of his own, to preside over the execution of Argyle, and over the reverent consignment to Christian burial of the shrivelled remains of the body of Montrose.

For the third time the Covenanting army entered Aberdeen.

Montrose again spares Aberdeen.

Montrose had brought with him orders to sack the town. He disobeyed the pitiless injunction, and Aberdeen was saved. The arrival of news of the Treaty of Berwick put an end to all further hostilities.

As soon as it was known in England that a treaty had been signed, the utmost satisfaction was expressed. It was known

[1] *Rushworth*, iii. 944.

[2] It is generally supposed that Colonel Gun, who had been sent with Aboyne by Hamilton, was a traitor, and helped on the defeat. We have not his defence, and he may have been simply a methodical soldier, unused to Montrose's dashing ways. He had been recommended by Elizabeth for service, which would hardly have been the case unless he bore a good reputation abroad. Hamilton's double-dealing naturally brought suspicions upon him of any kind of villany. See *Baillie*, i. 186; *Gordon*, ii. 269; *Spalding*, i. 209.

that the peace had been to a great extent the work of the English nobility,[1] and few were aware how powerfully the King's financial difficulties had contributed to the result. For Henrietta Maria the mere cessation of danger to her husband was enough, and those who looked in her beaming face could see her happiness there.[2]

Satisfaction in England at the news of the treaty.

The King's sister Elizabeth had reasons of her own for being equally well satisfied. She fondly hoped that something would at last be done for the Palatinate. So assured were Leslie and the Covenanting leaders that all danger was past, that they offered to provide ten or twelve thousand Scottish soldiers for the service of the Elector Palatine. Charles was merely to furnish ships to transport them to the Continent, and to provide them with provisions till they reached their destination. Immediately on the signature of the treaty, Charles assured Leslie that he would agree to these terms. Before long, however, Leslie came to the conclusion that such conditions were insufficient. He required that Charles should ask the Scottish Parliament to provide pay for the army, and this request Charles refused to make.[3]

Project of sending a Scottish army to Germany.

By this time indeed the prospect of a good understanding had already been clouded over. In accepting the King's declaration the Scots had been guided rather by their wishes than by their intelligence. Two capital points had been entirely passed over. Nothing was said in it either of the constitution of the future Assembly, or

Vagueness of the declaration.

[1] "Il Conte di Olanda . . . parla . . . con grand' avantaggio delle ragioni che mossero li Scozzesi all' armi in modo che bisogna attribuire le buone conditioni date al loro non tanto all' affetto del Rè verso la patria, quanto all' inclinatione della nobiltà Inglese alla causa loro, essendo vero che eccettuato il generale et il Conte di Bristo, . . . quasi tutti gli altri hanno favito alle pretensioni de' Scozzesi vergognosamente." Con to Barberini, July $\frac{5}{15}$, *Add. MSS.* 15,392, fol. 191.

[2] Con to Barberini, July $\frac{1}{11}$, *Add. MSS.* 15,392, fol. 182.

[3] Elizabeth to Roe, July 2, 11. Cave to Roe, July 11, *S. P. Germany.* Salvetti's *News-Letter*, July $\frac{5}{15}$.

of the course to be pursued if the Assembly came to resolutions obnoxious to the King. With a man of Charles's character, ever ready to claim all his formal rights, such omissions were likely to lead to serious consequences. The Scots had probably taken it for granted that he was merely seeking a decent veil to cover the reality of his defeat. They asserted that he had used words which implied as much, having assured them that 'he would not prelimit and forestall his voice, but he had appointed a free Assembly which might judge of ecclesiastical matters, the constitutions whereof he would ratify in the ensuing Parliament.'[1] The accuracy of the paper which contained these words was indeed denied by the King, but it is not probable that the statement contained in it was substantially untruthful. The difficulty vanishes if we suppose that the King regarded the exercise of his veto as a most important part of the legislation of the Assembly, and that his subjects imagined that no such veto was to be heard of. Nor is it at all unlikely that Charles really believed that if the question of Episcopacy were seriously discussed, his views of the matter would gain the upper hand.[2]

Ecclesiastical difficulties.

The ecclesiastical difficulty was dangerous enough. The political difficulty was still more dangerous. With the best possible intentions, the Scottish people could not restore that fabric of ancient authority which had crumbled into dust. If Charles was ever to exercise power in Scotland again, he would have to toil painfully at its reconstruction. Either he must throw himself, as the too subtle Hamilton recommended, on the side of a nobility which was certain to have cause enough of discontent under the sway of

Political difficulties.

[1] Peterkin's *Records*, 230.

[2] Rossingham, who picked up the news floating in the camp, tells us that 'There was much ado whether there should be bishops, yea or no. The King pressed to have bishops, and the Scotch Commissioners . . . . most humbly presented it to His Majesty that the order of bishops was against the law of the land which His Majesty had promised to maintain; wherefore at last, as I hear, His Majesty was graciously pleased to have that about the bishops to be disputed in their next Assembly.' *News-Letter*, June 25, *Add. MSS.* 11,045, fol. 31 b.

the Presbyterian clergy; or else, as Montrose not long afterwards advised, he must accept the ecclesiastical settlement now proposed as final, in order to win back the goodwill of the nation itself by trying to promote its welfare within the lines of its own conceptions. Charles would hear nothing of either plan. He claimed authority as a right, not as the ripe fruit of helpful labour. He could not understand that resistance to himself had given rise to a new political organisation which could not at once drop out of remembrance for any words which might be inserted in a treaty. He looked for reverence and submission where he should have looked for an opportunity of renewing that bond between himself and his subjects which, through his own fault, had been so unhappily broken.

In spite of Charles's hopefulness, the difficulties in the way of the execution of the Treaty of Berwick were not long in disclosing themselves, and not a few of them were owing to his own inconsiderate action. On June 24, indeed, Hamilton received the keys of Edinburgh Castle, and installed General Ruthven, a stout soldier and a firm Royalist, as its governor. Yet it was difficult to make the policy of surrender intelligible to the Edinburgh citizens. When Hamilton visited the Castle he was followed by four or five hundred persons, who jostled him in an unseemly manner. Scornful cries of "Stand by Jesus Christ!" were raised, and the Lord Commissioner was branded as an enemy of God and his country.[1]

June 24. Hamilton at Edinburgh.

The Castle surrendered.

Charles was still at Berwick. At first, he intended to preside in person over the Assembly and Parliament which he was about to summon, but before long he saw reason to change his purpose. The first serious offence came from himself. On July 1 a proclamation ordering fresh elections for an Assembly which was to meet at Edinburgh was read at the Market Cross of that town. It invited all archbishops and bishops to take their places there. As might have been expected, the proclamation was met by a protestation. Once more the two parties stood

Charles at Berwick.

July 1. Bishops summoned to the Assembly.

[1] *Burnet*, 144. Norgate to Read, June 27, 30, *S. P. Dom.* ccccxxiv. 77, 96.

opposed in mutual defiance.[1] Charles might have argued that Episcopacy was not as yet legally abolished, and that the presence of the bishops was necessary to the fair discussion which he contemplated. He did not understand that he was called on to sanction the results of a revolution, not to preside over a parliamentary debate.

If the proclamation took for granted the illegality of the acts of the Glasgow Assembly, the protestation took for granted their legality. The feelings of the populace were expressed in a rougher fashion. Aboyne, who unwisely ventured to show himself in the capital, was chased through the streets by an angry mob. Traquair's coachman was beaten. His Treasurer's staff was broken, and his coach pierced with swords. One of the judges, Sir William Elphinstone, was struck and kicked.[2]

July 3. Riot at Edinburgh.

Charles's displeasure may easily be imagined; but he was even less prepared to carry on war now than he had been in June. Hamilton told him plainly that the Scots would have no bishops. If he meant to force Episcopacy on the nation, he must summon an English Parliament, and be prepared for all the consequences which might flow from that step.

July 5. The King's displeasure.

Charles was the more angry because he discovered that a paper had been circulated in Scotland, purporting to be a report of conversations held with himself, in which he was said to have consented tacitly to abandon the bishops. Possibly the account may have been too highly coloured. Possibly, too, his own recollection may have fallen short of his actual words. At all events, he believed himself to have been foully misrepresented. His feeling was rather one of astonishment than of anger. "Why," he complained to Loudoun, "do you use me thus?"[3] Yet, if he had no choice but to give up the bishops, he could not bring himself to pro-

July 6. Believes himself to have been misrepresented.

Abandons the intention of going to Edinburgh.

[1] Proclamation and Protestation, July 1, Peterkin's *Records*, 230.

[2] *Baillie*, i. 220. Borough to Windebank, July 5, *S. P. Dom.* ccccxxv. 22.

[3] Unsigned letter, July 11, *S. P. Dom.* ccccxxv. 51.

nounce the fatal words. The intention of appearing in person at Edinburgh was abandoned. Hamilton, too, had no mind to expose himself again to obloquy. He resigned his commissionership, and Traquair was appointed in his room.[1]

July 8. Hamilton resigns the commissionership.

If the Covenanters complained of Charles for his continued support of the bishops, Charles had to complain of them that in some respects the Treaty of Berwick had not been put in execution. The Tables had not been at once dissolved. Hindrances had been placed in the way of the entrance of stores into Edinburgh Castle. A regiment was still kept on foot under Colonel Monro, and the fortifications of Leith were not demolished. Leslie still behaved as if his commission as general retained its force. Charles accordingly sent for the Covenanting leaders to confer with him at Berwick. Those for whom he sent did not all obey the summons. Argyle sent a hollow excuse. The Edinburgh citizens prevented others from setting out on what they believed to be a perilous journey. Six only of the number, Rothes and Montrose amongst them, appeared at Berwick.[2]

The Covenanting leaders sent for.

During the days of this visit to Berwick, Hamilton had been busy. He was authorised by a special warrant to enter into communication with the Covenanters, in order that he might learn their plans. He was to gain their confidence by speaking as they spoke, and that he might do this fearlessly he was exonerated from all penalties to which he might make himself liable by traitorous or seditious expressions.[3]

July 16. Hamilton's communications with them.

Into the dark mysteries of Hamilton's intrigues, it is impossible to enter further. As matters stood, no real understanding was possible. Between the King and Rothes there was a bitter personal altercation. Charles twice called the Earl to his face an equivocator and a liar. To the King's demand that all that could

July 17. Altercation between the King and Rothes.

[1] *Burnet*, 144, 146.

[2] De Vic to Windebank, July 15; Borough to Windebank, July 21, *S. P. Dom.* ccccxxv. 77, ccccxxvi. 22.

[3] Warrant, July 17, *Hardwicke S. P.* ii. 141.

be said in favour of Episcopacy should be freely urged at Edinburgh, Rothes replied that if his countrymen were not allowed to rid themselves of the bishops at home, they would be forced to open an attack upon the bishops of England and Ireland.[1] On the 21st Rothes and his companions were sent back, with orders to return on the 25th, together with those who had been detained in Edinburgh. On the 25th Dunfermline, Loudoun, and Lindsay arrived alone. They promised to dismiss the troops and pull down the fortifications of Leith; but mutual confidence was altogether wanting, and Charles informed them that he had given up his intention of appearing at Edinburgh in person.[2]

July 21.

July 25. Another deputation at Berwick.

The Covenanters believed that Charles was still hankering after the restoration of Episcopacy. They were not altogether in the wrong. In the instructions given to Traquair, on the 27th, Charles declared that he had commanded the bishops to absent themselves from the Assembly, and that he was ready to agree to the abolition of Episcopacy if it was not declared to be positively unlawful, but only 'contrary to the constitution of the Church of Scotland.' Such a reservation might appear to be no more than the satisfaction due to a scrupulous conscience. There can, however, be little doubt that it was more than this. Unless we are misinformed, Traquair told the King that in the absence of the bishops the proceedings in Parliament would be null and void, and that he would therefore be able, without violation of the law, to reintroduce Episcopacy whenever he felt himself strong enough to do so.[3]

July 27. Traquair's instructions.

The prospect thus opened before Charles was one was sure to regard with satisfaction. On was once more at Whitehall. There he was surrounded by those counsellors who were most hostile to the Scots. "For the Scottish business," Laud wrote to Roe, "'tis

Aug. 3. Charles returns to Whitehall.

[1] Rothes to Murray, Aug., *Ham. Papers*, 98.

[2] De Vic to Windebank, July 16, *S. P. Dom.* ccccxxvi. 50.

[3] This rests on Burnet's testimony. He had many documents before him which are now lost, and his care in giving the substance of those which have been preserved speaks in his favour.

true I sent you the happy word of peace, but what the thing will be in future I know not. Had I liked the conditions at the very first, I would have been as ready to have given you notice of them as of the peace itself. But I knew they would come soon enough to you, and I had no great joy to express them. 'Tis true that things were referred to a new Assembly and Parliament, but in such a way as that, whereas you write that the perfection of wisdom will consist in the conduct of them, there will certainly be no room left for either wisdom or moderation to have a voice there; but faction and ignorance will govern the Assembly, and faction, and somewhat else that I list not to name,[1] the Parliament; for they will utterly cast off all episcopal government, and introduce a worse regulated parity than is anywhere else that I know. How this will stand with monarchy, future times will discover; but, for my own part, I am clear of opinion the King can have neither honour nor safety by it; and considering what a faction we have in England which leans that way, it is much to be feared this Scottish violence will make some unfitting impressions upon both this Church and State, which will much concern the King both in regard of himself and his posterity to look to." [2]

Laud's opinion of the proceedings in Scotland.

Charles's first act after his return was one of defiance to the Scottish leaders. He found that the report which they had issued of his conversations with them at Berwick was circulating in England. He ordered that it should be burnt by the public hangman.[3] His next step was to direct the Scottish bishops to draw up a protest against the legality of the approaching Assembly and to place it privately in Traquair's hands. "We would not," wrote the King to Spottiswoode, "have it either read or argued in this meeting, when nothing but partiality is to be expected, but to be represented to us by him; which we promise to take so into consideration as becometh a prince sensible of his own interest and honour, joined

Aug. 4. The Scottish report of the proceedings at Berwick to be burnt.

Aug. 6. The bishops to draw up a secret protestation.

[1] "Treason" is probably meant.

[2] Laud to Roe, July 26, *Works*, vii. 583.

[3] Act of State, Aug. 4. *S. P. Dom.* ccccxxvii. 14.

with the equity of your desires ; and you may rest secure that, though perhaps we may give way for the present to that which will be prejudicial both to the Church and our own government, yet we shall not leave thinking in time how to remedy both."[1]

Charles, in short, was to cozen the Scots by appearing to yield everything, whilst he was secretly preparing an excuse which would justify him in his own eyes in taking back all that he had yielded, whenever he was strong enough to do so. He was too conscientious to tell a direct falsehood, but he was not conscientious enough to abstain from conveying a false impression. The student of these transactions may perhaps be able to comprehend the meaning of that dark saying of Luther : "If thou sinnest, sin boldly."

Whether the Scottish leaders were fully informed of these machinations or not, they had a clear knowledge of the spirit in which Charles was prepared to meet the proposals of the coming Assembly and Parliament. "All they that incline to the Covenanters' side," wrote a correspondent of Secretary Coke, "are very sorry such a commissioner shall be there, who is to make his protestation of his Majesty's prerogative, in case the bishops shall be excluded out of that realm."[2] Such feelings, however, were not as yet shared by the large majority of the Scottish people. They believed that they had at last attained the object of their desires. On August 12 the Assembly was opened in due form by Traquair at Edinburgh. No public notice was given of the protest of the bishops. On the 17th Episcopacy and all its attendant ceremonies were swept away as ruthlessly as they had been swept away at Glasgow. Old men who had known the evil days shed tears of joy as they looked upon 'a beautiful day, and that under the conduct and favour of' the King. "Blessed for evermore," cried one of those who were present, "be our Lord and King Jesus, and the blessing of God be upon his Majesty, and the Lord make

Aug. 12. Opening of the Assembly.

Aug. 17. Episcopacy again abolished.

[1] The King to Spottiswoode, Aug. 6, the Bishops' Declinator, Aug. 10, 11, *Burnet*, 154.

[2] Weckerlin to Coke, Aug. 8, *Melbourne MSS*

us thankful." When Traquair signified his assent to the Act in his master's name, the enthusiasm of the Assembly knew no bounds. "We bless the Lord," said Dickson, the Moderator, "and do thank King Charles, and pray for the prosperity of his throne and constancy of it so long as the sun and the moon endure."

The Covenant to be enforced. Aug. 30.

Before the Assembly dispersed, it showed its renewed loyalty by adding a Royalist explanation to the Covenant, and then asked that every Scottish subject might be called on to subscribe it in this amended form.[1]

Traquair's protest.

Against this unwarrantable interference with the conscience of individual Scots, Traquair raised no protest. Before the Assembly separated, however, he protested, as Charles had directed him to do, that the King would not engage to call Assemblies annually, and that he would not accept the abolition of Episcopacy as 'unlawful within this kirk,' unless the illegality were defined as arising merely from its being 'contrary to the constitution thereof.' Otherwise Charles might be urged to draw the inference that what was unlawful in Scotland was unlawful in England as well.[2]

Aug. 31. The Lords of the Articles to be reconstituted.

Parliament met on August 31. A constitutional question of the highest importance was immediately raised. The absence of the bishops brought with it not merely the loss of fourteen votes to the King, but it disarranged the artificial machinery by which the nomination of the Lords of the Articles had been left practically in the hands of the Crown. This Committee, having complete authority over the amendment and rejection of Bills, whilst the mere final vote of Aye or No upon the Bills in the form in which the Lords of the Articles passed them was all that was left to Parliament as a body, was of far more importance than Parliament itself. It was evident that in some way or other it must be extensively remodelled, and that on the mode in which it was remodelled the future constitutional influence of the Crown would to a great extent depend.

[1] Peterkin's *Records*, 204. *Burnet*, 157.
[2] Peterkin's *Records*, 235.

For the present Parliament a temporary compromise was arrived at. Traquair selected eight members of the nobility, and was wise enough to choose a majority of the eight from the supporters of the Covenant. These eight then chose eight from the estate of the barons or country gentlemen, and eight from the estate of the burgesses.

A permanent arrangement was more difficult to hit upon. Looking forward, as he did, to the ultimate restoration of Episcopacy,[1] Charles would gladly have seen the fourteen bishops replaced by fourteen ministers,[2] whom he doubtless hoped to convert into bishops at some future time. It was not likely that such a proposal would obtain any support whatever. It was obnoxious to the ministers, who had no wish to see some of their number elevated above the rest; and it was equally obnoxious to the nobility, who had no wish to share their power in Parliament with any of the clergy. Charles was therefore obliged to fall back upon a plan supported by a party amongst the Covenanters, of which Montrose was the leading spirit, which urged that the place of the bishops should be taken by a body of fourteen laymen to be appointed by the King, and who, if, as must be supposed, they were to play the same part in the selection of the Lords of the Articles that had formerly been played by the bishops, would have restored to the Crown the control of that important committee.[3] The remainder, and, as

[1] "Il Rè sta tuttavia di buon animo, sperando che le cose possino passare per adesso in qualche maniera tollerabile con pensiero poi al suo tempo d'accomodarle a modo suo." Con to Barberini, Aug. $\frac{16}{26}$, *Add. MSS.* 15,392, fol. 223.

[2] Instructions to Traquair, *Burnet*, 150.

[3] The vague statements in Airth's letter (Napier, *Memoirs of Montrose*, i. 226) may be elucidated from Rossingham's *News-Letter* of Oct. 7, *Add. MSS.* 11,045, fol. 61. "There is no agreement concerning the third estate yet. . . . The King hath a party in the Parliament that pleaded hard for the King that he may not lose the bishops' fourteen voices, and therefore there hath been some propositions how to supply this third estate by introducing fourteen laymen to supply the bishops which are included; but it does not take, many objections being urged against it. . . . The Earl of Montrose, the Lord Lindsay, two very active Covenanters, are body and soul for his Majesty in Parliament, in that particular of settling

it proved, the majority of the Covenanters, and especially the barons and the burgesses, were anxious to diminish the powers of the Lords of the Articles, and to make them a more exact representation of the House itself.

Formation of parties. Montrose's policy.

The parties thus formed were of permanent significance in Scottish history. Montrose and his friends wished to break with Episcopacy for ever. They were jealous of the popular movement which had made Episcopacy impossible, and they sought in the Crown a counterpoise, and more than a counterpoise, against the power which would be acquired by any members of their own order who chose to rest upon popular support. As might have been expected, Montrose's conduct exposed him to general distrust. The popular feeling was alarmed, and took expression in a placard which was affixed to his door: "*Invictus armis, verbis vincitur.*" It could not be, it was thought, that the hero of the Covenant should have adopted the cause of the enemy of the Covenant, unless he had been beguiled by flattering words at his interview with Charles at Berwick.

In this charge there was doubtless much injustice. But it was not entirely unjust. Montrose could not understand, as Wentworth could never understand, how hard it was to work successfully for Charles. He presupposed that Charles intended to make a fresh start, and would reconcile himself to Scottish Presbyterianism. On October 1 Charles wrote to Traquair, announcing that though he had consented to the abolition of Episcopacy, he would not consent to any Act rescinding the existing laws by which Episcopacy had been established. "We cannot," he wrote, "consent to the rescinding any Acts of Parliament made in favour of Episcopacy; nor do we conceive that our refusal to abolish those Acts of Parliament is contradictory to what we have consented to, or that we were obliged to. There is less danger in discovering any future intentions of

Oct. 1. Charles refuses to rescind the Acts in favour of Episcopacy.

the third estate. So are divers others of the known Covenanters." This letter does not say that the fourteen were to be chosen by the King, but, if they were to be a substitute for 'the bishops' voices,' this must have been intended.

ours, or, at the best, letting them guess at the same, than if we should permit the rescinding those Acts of Parliament which our fathers with so much expense of time and industry established, and which may hereafter be of so great use to us."[1]

Surely, in vain the net is spread in the sight of any bird. The King's refusal to consent to a rescissory Act was an advertisement to all Presbyterians that they had nothing to expect from him. Montrose's political design was rendered hopeless from the beginning.

Montrose's opponents found a leader in Argyle. With the eye of a statesman, he perceived that the political meaning of the Presbyterian victory lay in the increased weight of the middle classes. Their ideas had prevailed in the Church, and their ideas must prevail in the State. The constitution of the Lords of the Articles must be made to give expression to this all-important fact. Montrose might try to support the nobility upon the unsafe foundation of the Royal power; Argyle would fall back upon the leadership of the middle classes.

Argyle's policy.

It was difficult to carry the change which Argyle advocated through the Lords of the Articles, as they had been selected by Traquair. In the end it was voted, by a bare majority of one, that each estate should in future choose its own Lords of the Articles. In this way the barons and burgesses would be represented by sixteen votes, the nobility by only eight, and the King by none at all. No Reform Bill in our own days has ever brought about anything approaching to the political change which was the result of this decision.[2] Henceforth the business

[1] The King to Traquair, Oct. 1, *Burnet*, 158.

[2] Rossingham's *News-Letter*, Oct. 28, *Add. MSS.* 11,045, fol. 68. In an earlier letter of Oct. 21 the political situation is more fully depicted: "The Barons allege great mischiefs arise in their not choosing their own Commissioners for the Articles; so do the Burgesses, and the Nobility are divided about it. The Commissioners for the shires gave instructions to the Commissioners for the Articles requiring such things as quite overturn the very constitution of all future Parliaments, besides that they would choose the clerk of the Parliament, as all inferior judicatories do, which the King hath ever made choice of. Then they would have all the Bills

of Parliament was to pass into the hands of a body fairly representing Parliament itself, whereas it had hitherto been in the hands of a body craftily contrived to represent the King.

Legislative changes proposed.

The legislative changes proposed by the Lords of the Articles were as distasteful to Charles as the constitutional changes. Episcopacy was to be abolished as 'unlawful within this Kirk,' and the bishops were to be deprived of their votes in Parliament. A general taxation was to be levied to cover the expenses of the late war; and not only were the few Royalists in the country to be called on to pay their share of the burden of a defence which Charles styled rebellion, but that defence was expressly said to have been entered on for the sake of the laws and liberties of Scotland. The command of the castles of Edinburgh, Stirling, and Dumbarton was to be entrusted to none but Scottish subjects; and though these governors were still to be selected by the King they were not to be admitted to exercise their authority until they had been approved by the Estates.[1] Taken as a whole, the new legislation implied that Parliament and not the King was to be the central force in Scotland. Before the end of October Charles had made up his mind to resist. It was not the government of the Church alone that was at stake. Civil obedience, he held, was no longer to be had in Scotland. He sent orders to Traquair to prorogue

Charles makes up his mind to resist.

and Supplications given to the Lords of the Articles by any member during the sitting in Parliament, that they may be read and answered accordingly; for they allege that the Lords of the Articles receive and reject what they please, to the great grievance of the whole kingdom, which they desire should be amended for time to come. Another of their propositions is that there be no public conclusion of any article which is to be passed or not passed for a law at the day of voicing; that before the conclusion a copy of every such article be given to every estate to be advised on by them with the representative body, that they may be more maturely advised on before the day of voicing, and that on the day of voicing, after one article is read, any member of Parliament may reason for it or against it, which hath not been the custom ever heretofore in that kingdom."

[1] *Acts of Parl. of Scotl.* (new edition), v. 595. *Rushworth*, iii. 1040. *Gordon*, iii. 64.

Parliament till March. Traquair was met by the assertion that the King had no right to prorogue Parliament without its own consent. So strong was the opposition, that Traquair consented to a short adjournment to November 14, to give him time to consult Charles afresh. Two lords, Dunfermline and Loudoun, were despatched to England to plead the cause of Scotland before the King.[1]

Oct. 31. Adjournment of Parliament.

The day of the adjournment was signalised by a distribution of favours amongst those who had taken Charles's part. Hamilton's brother became Earl of Lanark; Lord Ogilvy was created Earl of Airlie; Lord Dalzell appeared as Earl of Carnwath. Amongst the newly-created lords was Ruthven, the Governor of Edinburgh Castle, who was now to assume the title of Lord Ruthven of Ettrick.[2] It was impossible for Charles to signify more clearly that opposition to the national will was the surest road to such honours as he had it in his power to distribute. He had done all that could be done to arouse suspicion. He had done nothing whatever to increase his chance of being able to carry his intentions into effect.

[1] Sir T. Hope's *Diary*, 110. Lockhart to Traquair, Nov. 8, *Hailes' Memorials*, 76. *Spalding*, i. 230, 235. *Balfour*, ii. 361. Rossetti to Barberini, Nov. $\frac{1}{11}$, *R. O. Transcripts*. Salvetti's *News-Letters*, Nov. $\frac{1}{11}$, $\frac{8}{18}$, $\frac{15}{25}$.

[2] Balfour's *Annals*, ii. 362. Douglas's *Peerage*.

CHAPTER XC.

THE ASCENDENCY OF WENTWORTH.

CHARLES'S misfortunes never came alone. The same want of perception of the conditions of action which had baffled him in Scotland baffled him in his dealing with the Continental Powers. The year had been a year of gloom for him in every direction. Early in the spring he had learned from Roe that there was no likelihood that any such treaty as that which he had sent him to negotiate would ever be obtained.[1] Before long the Swedish General Baner, careless of the fortunes of the Elector Palatine, was pushing forward in triumph through Thuringia, if a commander can be said to triumph who marches forward unchecked through scenes of havoc and desolation. "It is no more war, but spoil," wrote the English ambassador, "without difference of friend or foe, and therein also I give it a civil name. . . . Men hunt men as beasts for prey in the woods and on the ways." Charles indeed was hopeful, but his hopefulness was not for Germany or for humanity. The one thing he cared for, amidst these horrors, was to regain the Palatinate for his nephew. He assured his sister that when he had gained that victory in Scotland to which he was at that time looking forward with confidence, his power to assist her son would be as free as his will. Disappointed of aid from Sweden, Charles turned his eyes wistfully to Bernhard of Weimar. Like Charles Lewis, Bernhard was a dispossessed prince. Like Charles Lewis, he had good cause to be jealous of the French Government. He knew that, if he had won victories by Riche-

Charles's relations with the Continental Powers.

February.

Baner in Thuringia.

Bernhard of Weimar.

[1] See Vol. VIII. page 376.

lieu's aid, Richelieu coveted for his master the cities and lands of Alsace which had been the spoils of victory. Charles Lewis, therefore, invited Bernhard to make common cause with him against their common enemies. Bernhard naturally replied by asking what assistance the Elector could give. Could he, for instance, supply a force of 4,000 men, and a round sum of money with which to support them? Such assistance it was beyond the power of Charles Lewis to give, and he soon began to suspect that Bernhard was more anxious to win territory for himself than for others.[1]

April.

The young man's suspicions were never put to the test. Bernhard crossed the Rhine at the head of a well-appointed army, with the fairest expectations of success. In a few days he was stricken down by mortal sickness, and before June was over he was dead.[2]

June 28. Death of Bernhard.

With Bernhard's death passed away the last chance of checking the advance of French authority towards the Rhine. Everything concurred to inspire Charles with animosity against France. As he was firmly convinced that Richelieu was at the bottom of the Scottish troubles, he once more sought the alliance of Spain. It may indeed be doubted whether Charles was likely to receive more help from Spain than he had received before, but it is certain that Spain had more need of Charles than it had had before. Now that the Rhine valley was closed against the passage of Spanish troops, by Bernhard's victories of the preceding year, the freedom of the navigation of the Channel was more important than ever. Reinforcements and supplies must come in that way from Spain to Flanders, or they would hardly come at all.

Charles again turns towards Spain.

Early in the summer it was known in England that English ships had been chartered to bring troops from Spain to Dunkirk, and that Tromp, the new Dutch admiral, was cruising off Portland to intercept them. As the vessels came up they were boarded by the Dutchmen. The English sailors were treated with all

June. Spanish soldiers in English ships.

[1] Elizabeth to Roe, Feb. 25, *S. P. Holland*. Roe to Coke, Jan. 29, Feb. 6. The Elector Palatine to Roe, April 16, June 7, *S. P. Germany*.

[2] June 28.
July 8

possible courtesy, but the Spaniards were carried off. To Northumberland and Pennington this appeared to be no more than a fair exercise of the rights of war. Charles was of a different opinion. He directed Pennington to maintain his sovereignty in the Channel. A small band of Spanish soldiers which had taken refuge in the western ports was allowed to march on foot to the Downs, whence it was safely conveyed to a Flemish harbour.[1]

July. Seized by Tromp.

Against these proceedings Joachimi, the Dutch ambassador, protested. After some hesitation Charles proposed a compromise. He could not, he said, admit the right of search claimed by the Dutch, but he would prohibit his subjects from convoying soldiers if the States-General would prohibit their subjects from selling munitions of war to their own enemies in the Mediterranean. Charles possibly imagined that the Dutch habit of bargaining even with an enemy was too ingrained to be got rid of, and intended his compromise merely as a polite form of refusal. The progress of events was too rapid for any agreement on the subject.[2]

August. Compromise proposed by Charles.

All through the summer, a great Spanish fleet had been gathering at Corunna. Thirty huge galleons and thirty-six transports, eight of the latter being the property of English owners, were preparing to convoy to Flanders 10,000 soldiers and a large quantity of money. Magnificent as these preparations were, the Spanish statesmen had no longer the confidence in their naval power which had inspired their predecessors in the days when the Armada was

The Spanish fleet at Corunna.

[1] Hopton to Windebank, May 8, *S. P. Spain.* Povey to Pennington, June 3. Carteret to Pennington, June 3. Smith to Pennington, June 8. Pennington to Windebank, July 13. Northumberland to Windebank, July 15. Windebank to Pennington, July 16, *S. P. Dom.* ccccxxiii. 17, 18, 56, ccccxxv. 61, 78, 81. Cardenas to Salamanca, June $\frac{14}{24}$, June $\frac{28}{}$, July $\frac{5}{15}$, $\frac{19}{29}$. Cardenas to the Cardinal Infant, July 1, *Brussels MSS. Sec. Esp.* cclxxix. fol. 243, 301, 309, 325, 292.

[2] Northumberland to Pennington, Aug. 11, *S. P. Dom.* ccccxxvii. 40. Joachimi to the States-General, Aug. $\frac{16}{26}$. The Prince of Orange to the States-General, $\frac{\text{Aug. } 28}{\text{Sept. } 7}$, *Add. MSS.* 17,677, Q, fol. 75, 79.

launched against Elizabeth. They knew that their ships were ill-found and ill-provided, and that their seamen were no match for the sailors of the Dutch Republic. They humbled themselves to apply to Charles for a convoy.[1]

Charles offers to protect it.

When the application was made, Charles was in the heat of his controversy with the Dutch about the right of search. He ordered Pennington to protect the Spaniards from all attack.[2]

Thus encouraged, the great fleet sailed from Corunna on August 26th.[3] On September 1 the eight English transports, with 2,000 men on board, put into Plymouth. The inhabitants of the western port were startled by the news that a fleet of huge galleons would soon be in the offing. Their thoughts recurred to the day on which Drake and Hawkins finished their game of bowls on the Hoe; and when they saw the Spanish hulls rising above the horizon, they believed for the moment that the unwelcome

Aug. 26. Sept. 1. The Spaniards off Plymouth.

[1] *Rushworth* (iii. 973) has printed a paper which he supposed to contain an account of this fleet, but an inspection of the number of the ships and the names of the commanders shows that it can have nothing whatever to do with it. The mention of the Archduke settles its date as belonging to the lifetime of the Archduke Albert. I strongly suspect that it refers to the expedition planned against Algiers in 1618. See Vol. III. page 286.

[2] "Muy contento estoy del buen suceso que ha tenuto la diligencia que per orden de su Mag[d] hize con este Rey, para que su Armada franquease el Canal con fin de que la gente que havia de venir de España en los vajeles de Dunquerque pueda con mayor seguridad hazer su viaje, a que oy me respondio el Sñr Windevanch que su Mag[d] de la Gran Bretaña havio dado orden a su Vizalmirante salir con los vajeles de su Armada que han venido de Escocia, y que limpiase el Canal sin consentir en el desorden ni hostilidad alguna, y que ya ha salido a executarlo." Cardenas to Salamanca, Aug. $\frac{2}{12}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 16. Windebank tried afterwards to shuffle out of this engagement. "It is very true," he wrote, "that Don Alonso gave some intimation . . . . that some vessels were preparing in Spain for transportation of forces into Flanders, and desired His Majesty would not take apprehension of it, but that they might have a friendly reception . . . . but he spoke not of so great a number nor such a strength." Windebank to Hopton, Sept. 29, *Clarendon S. P.* ii. 71.

[3] Hopton to Cottington, Sept. 2, *S. P. Spain.*

visitors would soon be in the Sound. If the Spanish admiral, Oquendo, had any such intention, it was speedily abandoned.

Sept. 6. On the 6th his course was waylaid by the Dutch vice-admiral with seventeen ships. All the next day a

Sept. 7. running fight was kept up as he made his way to

Running fight in the Channel. the eastward. On the evening of the 7th the two fleets were off Dungeness, the smaller Dutch squadron keeping well to windward. Tromp, who was blockading Dunkirk, heard the sound of the firing, and on the 8th he

Sept. 8. joined his vice-admiral with fifteen sail.[1] That day

The battle in the Straits. there was a fierce battle between Dover and Calais. One Dutch ship blew up. Of the Spanish galleons three were sunk and one taken.[2] Before nightfall the Spaniards had fired away all their powder, and Oquendo did not venture to pursue his course to Flanders. With the shattered remnants of his fleet he put into the Downs for shelter, with Tromp following hard behind him.[3]

The Spanish admiral met with a rough greeting from Pennington. The English vice-admiral bade him lower the

Sept. 9. standard of Spain in the presence of his Majesty's

The Spaniards in the Downs. flag. He had no choice but to obey. Pennington then insisted that Tromp, who was pressing on to follow up his victory, should abstain from hostilities and keep to the southern part of the anchorage, whilst the northern part

Sept. 12. was assigned to the Spaniards. Three days after his arrival, Oquendo took advantage of the distance which separated him from the enemy, to send off to Dunkirk,

[1] Account of the action, *Nalson*, i. 258. Aitzema, *Saken van Staet en Oorlogh*, ii. 609. Oquendo to Cardenas, Sept. $\frac{12}{22}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 86.

[2] According to other accounts, two were taken and one sunk.

[3] Manwood to Suffolk, Sept. 1, *S. P. Dom.* ccccxxviii. 52. Cave to Roe, Sept. 23, *S P. Germany.* Rossingham's *News-Letter*, Sept. 9, *Add. MSS.* 11,045, fol. 53. Cardenas to Windebank, Sept. $\frac{10}{20}$. Cardenas to the Cardinal Infant, Oct. $\frac{4}{14}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 106, 129. Salvetti's *News-Letters*, Sept. $\frac{13}{23}$. Windebank to Hopton, Sept. 29, *Clar. S. P.* ii. 71.

under cover of the night, fifteen of his smaller vessels laden with soldiers.[1]

Oquendo and Tromp appealed, through their respective ambassadors, to Charles. Then ensued an auction, the strangest in the annals of diplomacy, in which Charles's protection was offered as a prize to the highest bidder. As a prelude to the main bargain, Charles was not ashamed to make a hucksterer's profit out of the distress of the fugitives who had taken refuge in his port. Cardenas applied to the Master of the Ordnance, the Earl of Newport, for permission to purchase gunpowder from the King's stores. Newport told him that he might have the powder, if he were willing to give a handsome present in addition to the regular price. Cardenas remonstrated. "The King of Spain," replied Newport, "is very rich, and it is of no importance to him how much he gives for the powder of which he is so greatly in need." In the end, Cardenas was forced to pay 5,000*l.* to the King, and 1,000*l.* to the Earl, beyond the value of the powder.[2] Those who are aware of this incident will not find much difficulty in understanding how it was that Lady Newport found her husband's religion unsatisfactory.

Appeal to Charles.

Before the powder could be conveyed on board, fresh difficulties had to be met. Charles, indeed, appeared at first willing to concede all that the ambassador could demand. He would allow the Spaniards to sail two tides before Tromp was permitted to leave the Downs, so as to enable them to reach Dunkirk without further opposition.[3] Suddenly, however, he altered his tone. Northumberland informed Pennington that the delay of two tides was never granted to so large a fleet. At the same time an embargo was laid upon all vessels in the

Terms offered to Spain.

Sept. 15. The King's tone changed.

[1] Oquendo to Cardenas, Sept. $\frac{9}{19}$. Cardenas to the Cardinal Infant, Sept. $\frac{13}{23}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 88, 78.

[2] Cardenas to Salamanca, Sept. $\frac{13,\ 20}{23,\ 30}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 97, 107. Order to Newport, Sept. 20, *S. P. Dom.* ccccxxviii. 113.

[3] Joachimi to Van Tromp, Sept. $\frac{14}{24}$, *Add. MSS.* 11,677, Q, fol. 39.

Thames, in order that they might be pressed into the King's service for the purpose of strengthening Pennington's fleet, and a special prohibition was issued against the employment of any English ship in carrying troops to Flanders.[1] These measures, which were taken upon the advice of the Privy Council, were, however, but the screen behind which was concealed a secret negotiation with Spain. Windebank told Cardenas, that as long as his master did so little for the Elector Palatine, he must not expect many courtesies in England. Then came a formal demand for money. If the King of Spain would give 150,000*l.* his ships should be placed in safety. The next day Cardenas told Windebank that he had suggested to his master the payment of 100,000*l.*, but that he might as well have asked for a million. It would have been as easy to procure the one sum as the other.[2]

Secret negotiation with Spain.

The King proclaimed his intention of enforcing strict neutrality. He told Joachimi that not an English ship or an English man should render assistance to either side. There was a talk of compelling both fleets to put to sea together to try their fortune there.[3] There was no doubt which of the two would gain the mastery. Tromp had been heavily reinforced from Holland, and by the end of September he mustered some eighty sail, well manned and supplied. His crews were full of warlike ardour. Pennington would be hard put to it if he were called on to defend the helpless Spaniards against so overpowering a force. In the meanwhile the King's directions grew more contradictory than ever. Northumberland was fairly puzzled. To a friend of Pennington's, who begged for more precise orders, he replied 'that he had often pressed his Majesty to

Sept. 17. Neutrality to be enforced.

Sept. 30.

[1] Northumberland to Pennington, Sept. 16, *S. P. Dom.* ccccxxviii. 93. Joachimi to the States-General, Sept. $\frac{16}{26}$, *Add. MSS.* 17,677, Q, fol. 94.

[2] Cardenas to the Cardinal Infant, Sept. $\frac{20}{30}$. Cardenas to Salamanca, Sept. $\frac{20}{30}$, *Brussels MSS.* cclxxx. fol. 98, 107. Windebank to Hopton, Sept. 29, *Clar. S P.* ii. 71.

[3] Joachimi to the States-General, Sept. $\frac{18, \text{ Sept. } 21}{28 \text{ Oct. } 1}$, *Add. MSS.* 17,677, Q, fol. 103.

declare his resolution, but never could get any.'[1] Northumberland was not in the secret. He did not know that Charles was only waiting for the answer from Madrid to his demand for 150,000*l.* as the price of his assistance.

The French ambassador, Bellievre, had been no less active than Cardenas. He had waited, indeed, till Tromp's reinforcements arrived, before he broached the subject. Then he commenced operations by winning the Queen over to his side. How he accomplished this feat is a mystery which he did not care to reveal. In the beginning of the month Henrietta Maria was a passionate supporter of Spain. At the end of the month she was a passionate supporter of France. She told Bellievre that the Spanish offers were magnificent, and that he must be prepared with offers more magnificent still. The King had assured her that his intention was to convoy the Spanish fleet to a place of safety. So well did she play her part, that a few hours later Charles declared himself ready to abandon the Spaniards to Tromp if the French Government would place his nephew at the head of the army which had been commanded by Bernhard of Weimar. Bellievre urged the Queen to ask that the Elector might carry with him ten or twelve thousand English troops in Charles's pay. Charles had no money to spare, and he answered that the utmost he could do would be to send over six thousand men, to be paid out of the French treasury. In return, Louis was to bind himself to make neither truce nor peace without comprising the rights of the Elector. Charles was ready to promise that he would conclude nothing with Spain till a fortnight had elapsed, in order to allow time for the consideration of his terms in France.[2]

Sept. 25. Bellievre's intrigues.

Sept. 26. The Queen assists him.

Sept. 27.

Sept. 28.

Charles could hardly have made a proposal to which Richelieu was less likely to consent. Ever since Bernhard's death he had been engaged in negotiation with the officers of his army. During the whole of September communications

[1] Smith to Kensington, Sept. 30, *S. P. Dom.* ccccxxix. 83.

[2] Bellievre to Bullion, $\frac{\text{Sept. 29}}{\text{Oct. 9}}$ *Arch. des Aff. Étr.* xlvii. fol. 553.

with them had been carried on briskly, and on the 29th, the very day on which Bellievre's despatch left England, the articles were signed by which the colonels of the army, in accordance with the stipulations of Bernhard's will, placed both themselves and the fortified towns which they held in Alsace and the Breisgau, at the disposal of the King of France.[1]

The negotiation for Bernhard's army.

Since the beginning of August, Charles Lewis had been in England, urging his uncle to obtain for him the command of this very army. So little did Charles understand the realities of his position, that he fancied that the Elector had but to present himself at Breisach to be received with enthusiasm as the successor of the great duke.

Charles Lewis in England.

On October 4 the helpless young man sailed from the Downs, disguised as Lord Craven's valet, hoping to make his way through France to Alsace.[2] For a few days Charles fancied himself master of the situation. He had but to choose between a gift of 150,000*l.* from Spain, and a binding promise from France to support vigorously his nephew's claims in the Palatinate, whilst in any case the young Elector was to put himself without trouble at the head of the finest army in Europe.

Oct. 4. He sails for France.

In the meanwhile Cardenas was playing his own game. His negotiation for the purchase of gunpowder had given him some insight into Newport's character, and he now concluded a bargain with the Master of the Ordnance for the transport of the Spanish soldiers to Dunkirk, at the rate of thirty shillings a head, in direct defiance of the King's prohibition. It was Newport's business to send boats laden with munitions to Pennington's fleet in the Downs, and he now promised that these boats should be placed at Oquendo's disposition as soon as they had accomplished their legitimate

Newport's bargain with Cardenas.

[1] Gonzenbach, *Hans Ludwig von Erlach.* I owe my knowledge of this book, in which the misstatements of former writers are corrected, to Prof. Stern.

[2] Bellievre to Chavigny, Oct. $\frac{6}{16}$, *Arch des Aff. Étr.* xlvii. fol. 572. Memoir for Bellievre, *Bibl. Nat. Fr.* 15,913, fol. 381. Pennington to Suffolk, *S. P. Dom.* Oct. 5, ccccxxx. 35, i.

task. It is true that nothing was done by Newport to carry out this promise, and it is possible that, on second thoughts, he considered it to be too audacious to be put in practice. That such a bargain should ever have been contemplated is, however, sufficient evidence of the low tone of morality which prevailed at Charles's Court.

A day or two later Cardenas reported home that he had gained a step with Charles. Orders had been given to Pennington to protect Oquendo from any hostile attacks as long as he remained in the Downs.[1] If, indeed, the ambassador had been allowed to read the despatch in which these orders were conveyed, he would hardly have been as sanguine as he was. "I have made his Majesty acquainted with that part of your letter," wrote the Lord Admiral to his subordinate, "which concerns your demeanour between the Holland and the Spanish admirals, unto which his Majesty's answer is this, that you are to let the Holland admiral know that his Majesty is now celebrating the feast of St. George at Windsor, but within four days will return to London, and is then resolved to appoint a short time for both fleets to depart the road; and upon the assurance which the Holland Ambassador hath given his Majesty, he rests confident that in the meanwhile no acts of hostility will be committed by them in that place. This being done, you are to send to the Spanish Admiral to inform yourself in what state they are to defend themselves, and to resist that great force of the Hollanders which now threatens them. If, when the Hollanders assault the others, you see the Spaniards defend themselves so well that, with the help of those few ships that are with you, they shall be able to make their party good —which the King, upon the reports of some, is well inclined to believe—then are you to give them your best assistance, otherwise you must make as handsome a retreat as you can in so unlucky a business." As far as any inference can be drawn from directions so incoherent, it would seem that Charles, at

Oct. 8. The Spaniards to be protected.

Pennington's instructions.

[1] Cardenas to Salamanca, Oct. $\frac{1}{14}$. Cardenas to the Cardinal Infant, Oct. $\frac{11}{21}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 129, 147.

the moment, hoped more from France than from Spain. "More particular instructions," added Northumberland, "I cannot get for you, which you must manage to your best advantage."[1]

The King's message to Cardenas.

To do Charles justice, he did not leave Cardenas entirely in the dark. He sent Endymion Porter to tell him that 'the King hath showed his care of the Spanish fleet with all the kindness that could be expected, and that, if the wind sit where it doth, it will be impossible for his ships to come to protect them against the Hollander; but his Majesty will do the best he can. Howsoever, he would have the Spaniards prepare themselves for the worst, for they cannot imagine but that he will have to limit a time for their abode in his port. In the mean time, he shall keep them from hostility, if it be possible, and his Majesty hath given the best order he can to that purpose.' Cardenas was also to be told 'how great a prejudice it would be to the King if they should fight in the harbour, for if any ships should miscarry, and be sunk there, it would be the ruin of the best harbour in the kingdom.' "But," reported Porter, "it seems the Spaniard regards nothing but his own accommodation, nor will they look about them until the King assign him a day to set sail, the which will be required from him; and when they are out of the port they must trust to their own force, for his Majesty will protect them no farther."

Oct. 10. A conflict expected.

If, in short, the Spaniards were to be sunk, they ought to oblige the King by choosing deep water to be sunk in. Charles, however, was prepared to face even the disagreeable alternative of a combat in the Downs. On the 10th Suffolk was directed, as Lord Warden of the Cinque Ports, to provide board and lodging for any Spaniards who might take refuge on shore, in case of a fight, at least as long as they were able to pay for his hospitality.[2]

A man who is so uncertain of his intentions as Charles

[1] Northumberland to Pennington, Oct. 8, *S. P. Dom.* ccccxxx. 47.

[2] Porter to Windebank, Oct. 9; Windebank to Suffolk, Oct. 10, *ibid.* ccccxxx. 57, 60.

had shown himself to be, ceases to have the power of making his intentions respected. On the 12th Cardenas was occupied with Windebank in drawing up an engagement, by which a considerable sum of money was to be secured to Charles in return for his protection, when unexpected news arrived from the Downs.[1] The reply of the French Government to Charles's overtures was written on the 8th. Of his demand, that his nephew should be placed in command of Bernhard's troops, it took no notice; but it distinctly asserted, that if France was to enter into any engagement with respect to the Palatinate, the six thousand men offered in return must be paid by Charles as well as levied. If he allowed the Spanish fleet to escape, the statesmen of Madrid would laugh at him as Gondomar had laughed at his father.[2]

Oct. 12. Offers of Cardenas.

Oct. 8. The French reply.

Richelieu had long ago taken the measure of Charles's capacity for aid or resistance. He did not wait, as Cardenas was obliged to wait, for Charles's resolution. There can be little doubt that Tromp acted under advice from the Cardinal. Whether this were so or not, the Dutch admiral knew that his enemy was growing stronger under his eyes. Thirty sloops arrived from Dunkirk laden with reinforcements for Oquendo. In the evening of the 10th the barrels of powder, which had been purchased at so exorbitant a price, were at last alongside his ships. The night, however, was closing in, and the Spaniards did not venture to bring them on board by the light of a candle.[3]

Reinforcements for Oquendo.

Oct. 10. The powder brought into the Downs.

But little of that powder ever reached the holds of the Spanish ships. Tromp knew that there was no time to be lost. He had a hundred armed vessels with him now, besides fire-

[1] Cardenas to the Cardinal Infant, Oct. $\frac{12}{22}$, *Brussels MSS. Sec. Esp.* cclxxx. fol. 152. Gage to Windebank, Oct. $\frac{19}{29}$, *Clar. S. P.* ii. 79.

[2] Memoir to Bellievre, Oct. $\frac{8}{18}$, *Bibl. Nat. Fr.* 15,995, fol. 373.

[3] Pennington to Northumberland, Oct. 11, *S. P. Dom.* ccccxxx. 77. Salvetti's *News-Letter*, Oct. $\frac{18}{28}$.

ships ready to be let loose on the disabled foe. On the evening of the 10th a shot, accidentally fired from on board a Spanish vessel, had killed a Dutch sailor. Tromp charged the Spaniards with a breach of the peace. In the morning of the 11th, whilst the Spanish powder was still in the boats, Tromp ranged up alongside of his outnumbered and unprepared antagonists. At eight, Pennington was roused by the boom of cannon-shot sounding out of the fog which lay heavily on the water. It was impossible for him to know which fleet had been the first to fire, and he tried hard to persuade himself that the Spaniards had been the aggressors. He knew that he could do but little good by thrusting himself between the Dutchmen and their prey, whilst the orders which he had received had been too incoherent to justify him in exposing his men to slaughter in a cause so unpopular. In an hour's time the firing came almost to an end. Some twenty Spanish vessels had run ashore to escape from their pursuers. The rest made off towards the South Foreland, chased by the Dutch. By this time Pennington had placed himself to windward, and after firing some shots at the victorious Dutch ships, returned to protect the stranded vessels, one of which was already blazing, and to seize upon two of Tromp's ships which had run ashore in the fog. Of the remaining Spaniards not a few were taken or sunk. The rest—numbering, according to various accounts, from ten to eighteen—reached Dunkirk in safety.[1]

Oct. 11. The sea-fight in the Downs.

Charles was highly indignant. His golden dream of a choice between 150,000*l.* from Spain, and the command of Bernhard's army for his nephew, had vanished in the smoke of Tromp's guns. His boasted sovereignty of the seas had been flouted in his very harbour by the audacious Netherlanders. Yet it was not in his power to take revenge. The barrenness of the exchequer, which had checked his march across the Tweed, would hardly allow him to embark upon a war with the Dutch. He ordered Pennington to get

The King's displeasure.

[1] Relation by Pennington and others, Oct. 11. *News-Letter*, Oct. 12, *S. P. Dom.* ccccxxx. 74, ccccxxxi. 4. Account of the action, *Nalson*, i. 258. Extract from a letter, *S. P. Flanders*. *Rushworth*, iii. 969.

off the stranded Spanish vessels and to convoy them to Dunkirk. More than that he could not do.[1]

Rumours about the Spanish fleet.

Damaging as was the true story of the fight in the Downs to Charles's reputation, it was concealed from the eyes of his subjects. Its place was, however, taken by a cloud of rumour no less damaging. Oquendo's fleet, it was believed, had been intended to land troops not in Flanders, but in England. Men sapiently informed one another that the Governor of the Isle of Wight—the heir of Lord Treasurer Portland, who was himself suspected to be a Catholic in disguise—had shot away all his powder as a salvo at the drinking of healths, with the evident intention of leaving the island without the means of resistance; and that the arms of the county of Kent had been, with a similar intention, exhausted in supplying its trained bands on the Borders. The Governor of Dunkirk, it was said, had been so astonished at the arrival of the first shiploads of escaped soldiers, for which he was entirely unprepared, that he had at first refused them admission. From all this it was easy to conclude that England had been saved by the gallant Dutchmen from a grave peril—a peril all the more dangerous because the invaders, unlike the invaders of 1588, had the Sovereign of England on their side.[2] Unfounded as the suspicion was, it cannot be said to have been absurd. Only a few months before, Charles had been planning how to obtain the services of 6,000 Spanish veterans for his war against the Scots, and the notion was already ripening in the minds of Englishmen, that an attack on Scotland was equivalent to an attack on England.

Another disappointment was in store for Charles. His nephew had made his way in disguise through Paris, and had

[1] Salvetti's *News-Letter*, Nov. $\frac{1}{11}$.

[2] *Rushworth*, iii. 969. Examination of Dominey, Sept. 16, *S. P. Dom.* ccccxxviii. 94. Salvetti, in his *News-Letter* of Oct. $\frac{4}{14}$, says that the idea was spread by the French and Dutch Puritan faction, and speaks of it as an 'artifizio che se bene non ha colpito in quelli che governono, ha nondimeno intossicato talmente il popolo che malamente si può loro ridurre a credere il contrario.'

reached Moulins on the road to Breisach. He was there arrested and detained, on the plea that he carried no passport. He was taken to Vincennes and kept in strict custody. To Charles, the imprisonment of his nephew was scarcely less offensive than Tromp's attack in the Downs, but he was equally powerless to avenge it.

Oct. 14. Imprisonment of the Elector Palatine.

With Scotland in all but open insurrection, and with his maritime supremacy set at nought in his own ports, Charles felt the need of a counsellor who could reveal to him the secret of success. That counsellor he hoped to find in Wentworth. It happened that the Lord Deputy was at the time in England. He had long been exposed to petty annoyances from Irish officials and English courtiers, and though, whenever he stood at bay, he had no difficulty in routing his enemies, he was unable to shake them off entirely. One case in which he was concerned had been brought to an issue in the preceding May. In November 1634 a man named Robert Esmond had been summoned before Wentworth in Dublin for having refused to carry on board his vessel some timber belonging to the King. Wentworth was in an ill temper, shook his cane at Esmond, and after having, according to some accounts, actually struck him, committed him to prison. After a short imprisonment the man, who had long been suffering from consumption, was allowed to go at large, but he died a few days after his release.

Wentworth as Charles's counsellor.

His case against Crosby and Mountnorris.

The moment at which this unlucky affair occurred was one in which Wentworth had surrounded himself with bitter enemies. Crosby had just been ejected from the Privy Council, and Mountnorris was at the height of his feud with the Lord Deputy. Crosby and Mountnorris busied themselves with the collection of evidence to prove that Esmond's death had been caused by the severity of the blows administered to him, with the intention of bringing a charge against the Deputy before the King. Wentworth, as usual, anticipated the blow, and accused Crosby and Mountnorris and some of their confederates, before the English Court of Star Chamber, as the propagators of scandalous falsehoods to his discredit.

At last, in May 1639, the case was ready for a hearing. The evidence that Wentworth had not actually touched the man was extremely strong. Mountnorris escaped punishment through defect of proof, but Crosby and others were sentenced to various fines.[1]

May. Star Chamber proceedings.

It was not the only case in which Wentworth was at this time involved. In the first years of his government he had found a strong supporter in the Chancellor, Lord Loftus. In 1637 the two men were deadly enemies. According to Wentworth's story, the Lord Chancellor, having covenanted to settle certain estates on his eldest son upon his marriage, had broken away from his word. He was summoned before the Irish Privy Council, and, answering insolently, was placed under restraint. What justification Loftus may have had cannot now be ascertained. He fell back on his political friends at Court, and by their intercession he obtained leave from Charles to cross St. George's Channel, that he might plead his own cause in England. From that moment his fault must have assumed a peculiar heinousness in Wentworth's eyes. The permission given him was a direct challenge to the policy of "Thorough." A highly-placed offender was, it seemed, to be permitted to set at nought the judgment of the Irish Privy Council because Arundel and Holland, and all the courtiers who had a grudge against the Lord Deputy, had placed themselves on his side. Wentworth took the daring step of vindicating the King's authority against the King himself. He resolved that if Loftus went to England he should not go as Chancellor. Acting upon instructions which had not hitherto been put in force, he summoned him before the Council, and took the Great Seal out of his hands.[2]

Case of the Lord Chancellor of Ireland.

1638.

[1] The account in *Rushworth* (iii. 888) is very incomplete. It may be supplemented by a fuller, but also incomplete, account in the *State Papers* (*Dom.* ccccxx. 36), and by a statement by Lord Esmond (*S. P. Ireland*, Undated). It was given in evidence, that Esmond when in prison distinctly denied that he had been struck by Wentworth.

[2] The King to Wentworth, April 9. Wentworth and the Irish Council to the King, April 20. Wentworth to the King, April 22. *Strafford Letters*, ii. 160, 168. I have said nothing in the text about the alleged intrigue between Strafford and Lady Loftus. Clarendon's assertion is no

For many months Charles hesitated between the pleadings of the courtiers and Laud's advocacy of Wentworth. Wentworth lashed himself into rage at the obstacles raised against him. He declared the Chancellor to have been guilty of the worst oppression in the exercise of his office, and to be unworthy of serving the Crown in any capacity whatever. His opponents naturally set down his indignation to mere passion. At last Charles decided substantially for Wentworth. He allowed, indeed, the Chancellor to come to England to plead his cause; but he forced him first to submit to the decree of the Irish Council against him, pending the result of his appeal. Wentworth was allowed to visit England to conduct his case in person. The English Council declared itself to be convinced by the arguments of the Deputy, and ordered that Loftus should be prosecuted in the Star Chamber. It is possible that the Chancellor deserved his fate, but the decision of a body composed as the Privy Council was, could carry little weight.[1]

1639.

evidence, and Sir G. Radcliffe's testimony, coming from a friend so intimate, is conclusive. "He was defamed for incontinence, wherein I have reason to believe that he was exceedingly much wronged. I had occasion of some speech with him about the state of his soul several times, but twice especially, when I verily believe he did lay open unto me the very bottom of his heart. Once was when he was in a very great affliction upon the death of his second wife; and then for some days and nights I was very few minutes out of his company. The other time was at Dublin, on a Good Friday, his birthday, when he was preparing himself to receive the Blessed Sacrament on Easter Day following. At both these times I received such satisfaction as left no scruple with me at all, but much assurance of his chastity." *Strafford Letters*, ii. App. 435. Strafford's own language, too, in speaking of the lady is inconsistent with the charge, whilst the respectful admiration which it reveals would account for the rise of scandalous rumours. "We have sadly buried my Lady Loftus, one of the noblest persons I ever had the happiness to be acquainted with; and as I had received greater obligations from her ladyship than from all Ireland beside, so with her are gone the greatest part of my affections to the country; and all that is left of them shall be thankfully and religiously paid to her excellent memory and lasting goodness." Strafford to Conway, *ibid.* ii. 381.

[1] The King to Wentworth, July 23. Wentworth to Conway, Aug. 13, *ibid.* ii. 372, 381. Salvetti's *News-Letter*, $\frac{\text{Sept. 27}}{\text{Oct. 7}}$. *Council Register*, Oct. 13.

Wentworth had arrived in London on September 22. From that time he became, what he had never been before, the trusted counsellor of Charles, so far at least as it was possible for Charles to trust anyone. During the fourteen months which followed he was the great minister, striving with all the force of his iron will to rescue his master from the net in which his feet were inextricably entangled. To some extent the blame of failure must lie with the King himself. Charles was not easy to save. He was too inconsistent in carrying out a settled policy, too readily inclined to listen to personal claims and personal attachments, to be able to cut his way sternly and ruthlessly through opposing ranks; but, after all, the main cause of failure lay in Wentworth himself. His want of sympathy with his generation is fatal to his claim to the highest statesmanship. He could criticise incisively the organised ecclesiastical democracy of the Scottish Assembly, but he had nothing to substitute for it which could give him any hold on the hearts of the Scottish people. For the Scottish people, indeed, he took but little thought. It was enough for him if he was able to subdue them, and in order to subdue them it was necessary to rally Englishmen around the throne. In truth, he knew England hardly better than he knew Scotland. He could not comprehend how honest men could look on the Scottish resistance from a point of view different from his own. If Englishmen would but open their eyes to the foulness of that mad rebellion, they would rejoice to be the rod in the King's hand to exercise righteous judgment on his enemies.

Sept. 22. Wentworth becomes Charles's counsellor.

During the first few weeks of Wentworth's sojourn in England, disaster had followed disaster. The lesson which Wentworth saw in the disgrace of the conflict in the Downs, and in the scornful imprisonment of the Elector by Richelieu, was the necessity of showing a firm front to the Northern traitors, whose rebellion had made it impossible to avenge such insults. On November 7 two commissioners from the Scottish Parliament, the Earls of Loudoun and Dunfermline, arrived in London, to ask that the Acts of the Scottish Parliament might receive confirmation by the

Nov. 7. The Scottish Commissioners in London.

King.[1] The question was referred to a committee of eight Privy Councillors which had recently been formed for consultation on the affairs of Scotland. Of that committee—the Junto, or Committee of Eight, as it was frequently called—Wentworth was the ruling spirit. Its other members were Laud, Hamilton, Juxon, Northumberland, Cottington, Windebank, and Vane.[2] From such a committee the Scottish demands were not likely to meet with much consideration. By a considerable majority of its members, Charles was urged to send Loudoun to prison, on the ground that he had circulated that account of the King's conversation at Berwick which had been burnt as false by the hangman in England.[3]

The Committee for Scottish Affairs.

With this recommendation Charles did not comply; but he ordered Loudoun and Dunfermline to return at once, on the ground that their commission had not been signed by Traquair. He declined, in short, to treat with the Parliament of Scotland as an independent body.[4]

The Scottish Commissioners sent back.

The dismissal of the Commissioners had been anticipated by an order to Traquair to prorogue the Parliament—not, as had been before intended, to March, but to June 2. This time the prorogation was accepted at Edinburgh, though not without a protest. Parliament separated, after appointing a committee to sit in its absence to consider the answer which Loudoun and Dunfermline were at that time expected to bring back from London.

Nov. 14. The Scottish Parliament prorogued.

This contemptuous rejection of the Scottish demands at the instance of a committee of which only one member was of Scottish blood, was certain to irritate the Scottish national feeling. "The Scots," wrote an Englishman who made it his business to collect information on passing events, "have lately declared their great jealousies that the kingdom of Scotland is designed to be made a province of England, and to be governed by orders and

Provocation to the Scottish national feeling.

[1] *Guthrie*, 69.

[2] Cardenas to Salamanca, Nov. $\frac{1}{11}$, *Brussels MSS. Sec. Esp.* cclxxx. 200.

[3] Salvetti's *News-Letter*, Nov. $\frac{15}{25}$.

[4] *Spalding*. i. 235.

directions from the Council of England, which they protest against, that they will never consent unto it, but to be governed by their own laws formerly made, and hereafter to be made in their own Parliament, and by themselves, but to be confirmed by his Majesty." [1]

Wentworth's advice had at last been taken. Lest every movement in opposition to Charles's government in England should find encouragement and support in Scotland, Scotland must be ruled directly from England. Proudly and unhesitatingly, Wentworth stepped forward towards the end which he had long foreseen to be the only alternative which it was possible for the King to adopt. Of the loyalty of England he still believed himself to be secure. The order to prorogue the Scottish Parliament had been despatched on November 8. On the 10th it was decided that ship-money should be collected, not at the reduced rate of the preceding year,[2] but at the full amount of the earlier assessments. Ship-money alone, however, would not suffice to conquer Scotland. On the 27th Traquair, who had returned from Edinburgh,[3] told, before the Committee of Eight, the long story of Scottish disobedience. That Scotland must be coerced was accepted as a necessity; but there were long debates as to the best means of effecting this object. Some of the members of the Committee talked, as Privy Councillors had talked twelve years before, of establishing an excise by prerogative. Others suggested that the precedent of ship-money should be applied to the land forces, and that each county should be required to support a certain number of soldiers. Wentworth's voice rose clearly above this Babel of tongues. He insisted that a Parliament, and a Parliament alone, was the remedy fitted for the occasion. Laud and Hamilton gave him their support. He carried his point with the committee. What was of more importance, he carried it with the King.

Nov. 10. Ship-money to be collected.

Nov. 27. Traquair's narrative.

December. Debate on the means of making war.

Wentworth proposes a Parliament.

It is not to be imagined for a moment that Wentworth had

[1] Rossingham's *News-Letter*, Nov. 12, *Add. MSS.* 11,045, fol 72.

[2] See Vol. VIII. page 383.

[3] Rossingham's *News-Letter*, Dec. 3, *Add. MSS.* 11,045. fol. 78.

any intention of lowering the flag of the monarchy in the presence of the representatives of the nation. What he proposed was but an experiment and nothing more. "The Lords," as Windebank expressed it, "being desirous that the King and his people should meet, if it were possible in the ancient and ordinary way of Parliament, rather than any other, were of opinion his Majesty should make trial of that once more, that so he might leave his people without excuse, and have wherewithal to justify himself to God and the world that in his own inclination he desired the old way; but that if his people should not cheerfully, according to their duties, meet him in that, especially in this exigent when his kingdom and person are in apparent[1] danger, the world might see he is forced, contrary to his own inclination, to use extraordinary means rather than, by the peevishness of some few factious spirits, to suffer his state and government to be lost."[2]

His intentions.

On December 5 the discussion was transferred to the Council itself. Traquair made a formal report of his mission. He painted the disobedience of the Scottish Parliament in the blackest colours; all the blacker perhaps because he knew that he was regarded at Court as an accomplice of the Covenanters, and that it was reported that he had said at Edinburgh that his Majesty desired but the shadow, but would be content to quit the substance. Wentworth's advice was unanimously accepted by the Council. Those members who were in any way favourable to the Scots were also those who desired most heartily to see another Parliament at Westminster.

Dec. 5. Traquair's relation to the Privy Council.

Wentworth's advice adopted.

Before giving his formal consent to the proposal, Charles requested the Council to advise him on the financial situation. It was certain that no further help was to be expected from the City. The loan which had been demanded in the summer had been absolutely refused, and repeated pressure had only produced an offer of 10,000*l.* as a gift: an offer which was at first rejected as insufficient, and only

The Councillor's loan.

[1] In the old sense of 'evident.'

[2] Windebank to Hopton, Dec. 13, *Clar. S. P.* ii. 81.

accepted when it became evident that no more was to be had.[1] The King now asked the Councillors whether, 'if the Parliament should prove as untoward as some have lately been, the Lords would not then assist him in such extraordinary ways in the extremity as should be thought fit.' They unanimously voted in the affirmative. On this the King announced that Parliament should be summoned for April 13, and that Wentworth should first proceed to Ireland to hold a Parliament at Dublin, which would doubtless set a good example to the English Parliament which was to follow.[2] It is impossible not to recognise the hand of Wentworth here. It was no mere financial operation that was in question. Parliament was to be made to feel that the King did not rely on its vote alone. Before the Council broke up, it was resolved that its members should at once offer a loan to the King. Wentworth led the way with 20,000*l.* Coventry, Manchester, and Newcastle followed with 10,000*l.* apiece. The whole loan was fixed at 300,000*l.* In a few days the subscriptions amounted to 150,000*l.*, and 50,000*l.* more were gathered before Christmas.[3]

Wentworth's next care was to preserve the appearance of magnanimity. The Scots were not to have it in their power to say that the King had refused to listen to them. In spite, therefore, of the dismissal of Loudoun and Dunfermline, Traquair was directed to return to Edinburgh, and to inform the committee left behind by the

The Scots invited to give satisfaction.

[1] Rossingham's *News-Letter*, Aug. 6, 13, *Add. MSS.* 11,045, fol. 43, 45.

[2] Windebank to Hopton, Dec. 13, *Clar. S. P.* ii. 31.

[3] The King to the Lords of the Council, Dec. 6, *S. P. Dom.* ccccxxxv. 37. Rossetti to Barberini, Dec. $\frac{20}{30}$, *R. O. Transcripts.* Aerssens to the Prince of Orange, Dec. $\frac{19}{29}$, *Arch. de la Maison d'Orange-Nassau*, Sér. 2, iii. 155. The payments cannot be traced on the Exchequer Books, as they were secured as anticipations on payments hereafter to be made by the subscribers, and anticipations do not appear on these books. Wentworth's money, for instance, was secured out of the Northern recusancy fines, of which he was the collector, and which he would keep in his own hands till the 20,000*l.* had been paid off. There is, however, a complete list of the payments in *S. P. Dom.* ccccliii. 75.

Parliament, that if they still wished to send a deputation to the King they were at liberty to do so.

Reception of the news in England.

In England the unexpected announcement of a Parliament was received with joyful surprise. The surprise was not accompanied with any feeling of gratitude to the King. The very precautions which had been taken were certain to arouse suspicion. It might reasonably be argued that if Charles had purposed a thorough reconciliation with his people, he would not have thought it necessary to fortify himself with the Privy Councillors' loan. Graver rumours too were floating in the air. It was whispered that the army was to be raised, not to fight the Scots, but to intimidate Parliament. The members would be called on to deliberate amidst the clash of arms, and would be called upon to vote away under durance the ancient liberties of Englishmen. Anyone who ventured to raise his voice against the Court would pay for his audacity with his head.[1] It is easy to say that such suspicions were unfounded and unreasonable, but it is impossible to deny that it was natural that they should be entertained.

Suspicions of the King's intentions.

The Opposition not conscious of its strength.

Both Charles and Wentworth under-estimated the strength of the opposition against their policy too much, to make them even think of recurring to violence. Nor is it at all likely that even those who felt most bitterly against the Government were aware how strong was their position in the country. In the seventeenth century, when Parliament was not sitting, our ancestors were a divided people. Each county formed a separate community, in which the gentry discussed politics and compared grievances when they met at quarter sessions and assizes. Between county and county there was no such bond. No easy and rapid means of communication united York with London, and London with Exeter. No newspapers sped over the land, forming and echoing a national opinion from the Cheviots to the Land's End. The men who grudged the payment of ship-money in Buckinghamshire could only learn from uncertain rumour that it was equally unpopular

[1] Bellievre to Chavigny, Dec. $\frac{10}{20}$, *Arch. des Aff. Étr.* xlvii. 650.

in Essex or in Shropshire. There was therefore little of that mutual confidence which distinguishes an army of veterans from an army of recruits, none of that sense of dependence upon trusted leaders which gives unity of purpose and calm reliance to an eager and expectant nation.

If the sense of union was wanting to the opponents of the existing political system, it was still more wanting to the opponents of the existing ecclesiastical system. Disinclination to pay money which is not regarded as legally due is a very simple feeling. The dislike felt for Laud's ecclesiastical policy was by no means so simple. Many persons wished to see the Prayer Book replaced by the unceremonial worship of New England or Geneva. A larger number wished to retain the Prayer Book with certain alterations. Others again would leave the Prayer Book itself untouched, but would interpret the rubrics as they had been interpreted in the days of their boyhood, when the communion-table stood in the centre of the church. Behind all these there was a body of resistance not called forth by any ecclesiastical or religious feeling whatever, but simply rising from the dissatisfaction of the gentry with the interference of the clergy.

The ecclesiastical opposition.

How widely spread the latter feeling was, neither Charles nor Laud had any notion. Laud's certificate of the condition of the Church during the past year was written in a cheerful tone.[1] The Bishop of Peterborough had stated that few of the laity were factious, excepting where they were misled by the clergy. "This," noted Laud, "is too true in most parts of the kingdom." If Laud had been right in this, his task would not have been as hopeless as it was. A little more care in weeding out clergymen of the wrong stamp, and a steady persistence in scrutinising the character of candidates for ordination, would have reduced England to the proper ecclesiastical pattern.

Laud's report.

Nor was evidence wanting which might seem to encourage a hopeful view. During the last months of 1639 and the first months of 1640, the Act Book of the High Commission Court

[1] *Works*, v. 361.

only records the deprivation of one clergyman, and that for open and unblushing drunkenness.[1] The books of the Official's Court of the Archdeaconry of Colchester tell much the same tale. The time of the court was mainly occupied with those cases of immorality which would have been even more severely visited by the Puritan clergy than by the Laudian courts. Amongst the charges of another description were complaints against persons who behaved indecently in church, who refused to bow at the name of Jesus, who worked in the fields on saints' days, and even on one occasion on the day of Gunpowder Plot. Women were reprimanded for chattering or sewing in church, and more frequently for refusing to appear veiled when returning thanks after childbirth: a practice on which Laud insisted with unusual vehemence, and to which they objected strongly, apparently from the imaginary resemblance of the required veil to the linen sheet worn in penance by the unchaste. Many persons, too, were summoned for absenting themselves from church; but their excuses and promises of amendment were readily admitted. The fines imposed were small, and penalties infrequent; though they undoubtedly caused considerable irritation whenever they were inflicted.[2]

The Ecclesiastical courts.

The dissatisfaction called forth amongst the Puritan clergy was suppressed rather than overcome. Hundreds unwillingly administered the Communion at the rails. In one part of England the ill-feeling of the clergy was peculiarly strong Wren had lately been removed from Norwich to Ely, and the Puritan diocese of Norwich was handed over to Montague, the chief mover in the scheme for the reconciliation of the Churches of Rome and England. Yet

The diocese of Norwich.

[1] Sentence on Rawson, Feb. 6. High Commission Book, *S. P. Dom.* ccccxxxiv. fol. 92.

[2] The Act Books are kept in a room over the porch of the parish church at Chelmsford, and are in the charge of the registrar. I have to thank the Rev. Sir J. Hawkins, Bart., and F. T. Veley, Esq., for their kind assistance in helping me to see these books at a time when the illness of the late registrar made it difficult for me to procure access to them in the ordinary way. Extracts from the books are given by Archdeacon Hales, in his *Series of Precedents and Proceedings.*

even Montague was deceived by the external signs of quiet. "This diocese," wrote Laud in his report, "my lord the Bishop assures me is as quiet, uniform, and conformable as any in the kingdom, if not more; and doth avow it that all which stood out in Suffolk as well as Norfolk at his coming to that see, are come over, and have now legally subscribed and professed all conformity, and, for aught he can learn, observe it accordingly. Yet his lordship confesses that some of the vulgar sort in Suffolk are not conformable enough, especially in coming up to receive at the steps of the chancel where the rails are set; but he hopes by fair means he shall be able to work upon them in time."

Some, indeed, whether of the vulgar sort or not does not appear, attempted a counter-stroke. They indicted at the assizes a minister who had declined to administer the Communion to them in their seats. The judges, as might have been expected, refused to interfere in a matter purely ecclesiastical, but the attempt was significant of the spreading feeling that the institutions of the Church ought to be brought into closer harmony with the religion of the laity.

Indictment of a minister.

The sullen ill-feeling of the gentry and middle class gave encouragement to the wilder and more vehement Puritanism of those whom Laud contemptuously styled the vulgar sort. The excitement amongst these men was evidently rising. The Archbishop was forced to confess that even in his own diocese the Church courts were unable to keep down the Separatists and the Anabaptists, and that, if they were to be got rid of, it would be necessary to force them to abjure the realm.[1] In London one of these men died in prison. His corpse was followed by two hundred members of his own sect. To questioners who inquired the name of the deceased, they answered fiercely, that he was 'one of the Bishop's prisoners.' When they reached the burial-ground 'they, like so many Bedlams, cast the corpse in, and, with their feet instead of spades, cast and thrust in the mould till the grave was almost full; then they paid the grave-maker for his pains, who

August. Spread of the sects.

[1] *Works*, v. 361.

told them that he must fetch a minister; but they said he might spare his labour.'[1]

The feeling engendered by such manifestations in the minds of the supporters of established order was one of angry vexation at the presence of an unpalatable evil against which it was impossible to guard. Even the Privy Council was at one moment carried away so far as to meditate an act of abnormal cruelty. In July information was brought to Laud that a certain stonemason of Dover, named John Trendall, had refused to take the Oath of Supremacy, and had expounded the Scriptures in his own house. Further, he had denied that the Lord's Prayer ought to be used, had expressed disapproval of the Creed, and had kept away from church on the ground that it was against his conscience to worship under the authority of the bishops. Laud referred the matter to the Council, and, after consultation with the Attorney and Solicitor-General, the Council actually applied to Archbishop Neile, who had been Bishop of Lichfield at the time when Wightman was burnt in his diocese in 1612, to certify the nature of the proceedings in that case.[2]

Trendall's case.

Aug. 3. Neile consulted.

Neile was not content to give a simple answer to the question put to him. He not only gave a full narrative of the circumstances attending the execution of the two heretics, but he declared his conviction that the punishment of the two men 'did a great deal of good in this Church.' "I fear me," added the Archbishop, "the present times do require like exemplary punishment."[3]

Precedents for burning heretics.

By the time that Neile's report arrived, the Council had returned to a better frame of mind. Trendall was ordered to take the Oath of Supremacy, and this time he did not refuse. Subsequently he was sent to give an account of himself before the High Commission. At first he refused to acknow-

[1] Memorandum to Dr. Alsop, Aug. 31, *S. P. Dom.* ccccxxvii. 107.

[2] The Mayor and Jurats of Dover to Laud, July 27. Examination of Trendall, July 27, *S. P. Dom.* ccccxxxii. 27 i. 27 I. i. *Council Register*, July 31, Aug. 2.

[3] Neile to Laud, Aug. 23. Becher to Mottershed, Nov. 9, *S. P. Dom.* ccccxxvii. 78, ccccxxxii. 27. See Vol. II. p. 130.

ledge the jurisdiction of the court; but, as its records are silent on his subsequent fate, it is probable that he gave way and was released.[1] At all events, there was no longer any thought of sending him to the stake, and there is reason to believe that he became a Puritan minister under the Long Parliament, and lived on into the reign of Charles II.[2]

Subsequent history of Trendall.

Little did Charles imagine that such men as Trendall would be a power in England before many years were over. If he felt any apprehension of the coming Parliament, it was of a different kind. Whatever that apprehension may have been, he looked with confidence to Wentworth to overcome opposition in England as he had formerly overcome opposition in Ireland. At last he was prepared to confer upon his faithful Minister that token of his confidence which he had twice refused before. On January 12 Wentworth received the Earldom of Strafford, and a week later he exchanged the title of Lord-Deputy of Ireland for the higher one of Lord-Lieutenant, which had last been borne by Devonshire, when he lived in England and governed Ireland by a deputy.

1640. Jan. 12. Wentworth to be Earl of Strafford.

[1] *Council Register*, Aug. 18. Day to Coke, Aug. 25, *S. P. Dom.* ccccxxvii. 80. The extracts from the High Commission Book are in Mr. Hamilton's Preface.

[2] A petition from a John Trendall to Charles II., asking not to be turned out of his cure, has recently been discovered by Mrs. Everett Green.

CHAPTER XCI.

THE SHORT PARLIAMENT.

BEFORE the new earl left England arrangements were made for levying the army which was to march against Scotland in the summer. According to the scheme adopted by the Council of War, it was to consist of 23,000 men.[1] This time there was to be no attempt to save a few thousand pounds by calling upon the peers to serve at their own expense. Neither Arundel nor Essex nor Holland was to receive a command. The Lord-General was to be the Earl of Northumberland, in whom Strafford placed his confidence. Another of Strafford's friends, Lord Conway, the son of the secretary of Charles's earlier days, was to command the Horse. Strafford himself was to serve as Lieutenant-General under Northumberland, and to take the field with a force of 1,000 men, which was to follow him from Ireland. Sir John Conyers, a military man of reputation in the Dutch service, was to take the command of the garrison at Berwick.[2] With such appointments there was likely to be less personal rivalry between the superior officers than in the preceding year.

1640. Jan. 10. An army to be raised.

Appointment of commanders.

Civil offices which fell vacant about this time were less wisely filled. On January 14 the death of Lord Keeper Coventry deprived Charles of the services of the most prudent amongst his counsellors. As a lawyer of the old school, Coventry had been on the side of the prerogative against the new ideas of Parliamentary supremacy, but

Jan. 14. Death of Coventry.

[1] Resolutions at the Council of War, Jan. 10, *S. P. Dom.* ccccxli. 83.

[2] Cave to Roe, Jan. 10; Northumberland to Conyers, Jan. 12, *S. P. Dom.* ccccxli. 92, 110 i.

he had always shrunk from the extravagant applications of his own theory which were urged upon him by men of observation inferior to his own. Only a few months had passed since he had opposed in Council the wild projects suggested for the support of the army; and, if a not improbable report is to be trusted, he conjured the King on his death-bed to endure patiently any opposition which might arise in the coming Parliament, and to 'suffer it to sit without any unkind dissolution.'[1]

Jan. 23. Finch, Lord Keeper.

Charles showed how little he appreciated his advice by appointing Finch as his successor, who, as Speaker, had been held down in the chair in 1629, and who, as judge, had passionately advocated the King's claim to ship-money in its most extreme form.

Another vacancy had to be filled up about the same time. Sir John Coke's tenure of the Secretaryship had long been regarded as uncertain. He was growing too old for his work. Other causes besides his age affected his position. Many counted him a Puritan, or, in other words, an opponent of the existing ecclesiastical system. He was suspected of drawing a pension from the Dutch Government, and since the attack in the Downs all friends of the Dutch Government were in ill odour at Whitehall.[2] In November Strafford had been favourable to his removal, and had supported the claims of Leicester, the ambassador at Paris, to the vacancy which would be created. Leicester was married to Northumberland's sister, and, like Northumberland, he belonged to that section of the nobility which was distinctly Protestant without being Puritan, and which was disposed to support the King against rebellion, without favouring an arbitrary exertion of the prerogative. Strafford was well aware of the importance of conciliating this class of men, and he had special reasons for favouring Leicester, whose cause was pleaded by his wife's sister, Lady Carlisle. Lady Carlisle had now been for many years a widow. She had long been the reigning beauty at Court, and she loved to mingle political intrigue with social

Coke threatened with dismissal.

Leicester proposed as his successor.

Advocacy of Lady Carlisle.

[1] *Hacket*, ii. 137.

[2] Salvetti's *News-Letter*, Jan. $\frac{17}{27}$.

intercourse. For politics as a serious occupation she had no aptitude; but, in middle age, she felt a woman's pride in attaching to herself the strong heads by which the world was ruled, as in youth she had attached to herself the witty courtier or the agile dancer. It was worth a statesman's while to cultivate her acquaintance. She could make him a power in society as well as in council, could worm out a secret which it behoved him to know, and could convey to others his suggestions with assured fidelity. The calumny which treated Strafford, as it afterwards treated Pym, as her accepted lover may be safely disregarded. Neither Strafford nor Pym was the man to descend to loose and degrading debauchery. But there can be no doubt that purely personal motives attached her both to Strafford and Pym. For Strafford's theory of monarchical government she cared as little as she cared for Pym's theory of parliamentary government. It may be, too, that some mingled feeling may have arisen in Strafford's breast. It was something to have an ally at Court ready at all times to plead his cause with gay enthusiasm, to warn him of hidden dangers, and to offer him the thread of that labyrinth which, under the name of 'the Queen's side,' was such a mystery to him. It was something, too, no doubt, that this advocate was not a grey-haired statesman, but a woman, in spite of growing years, of winning grace and sparkling vivacity of eye and tongue.

Lady Carlisle and Strafford.

The Queen, too, was enlisted on Leicester's side, probably through Henry Percy, Northumberland's brother, who was also a brother of Lady Carlisle and Lady Leicester, and who stood high in her favour. Yet, in spite of his wife's pleading, Charles would not hear of her candidate. Whatever the cause may have been, Northumberland singled out Laud as the author of the mischief. "To think well of the reformed religion," he wrote, "is enough to make the Archbishop one's enemy."[1]

The Queen supports Leicester.

Leicester rejected.

A new combination was now proposed. At Hamilton's

[1] Northumberland to Leicester, Nov. 21, Dec. 13, *Sydney Papers*, 618, 623.

suggestion the Queen put forward Vane. Strafford knew him as an inefficient, self-seeking courtier. He had also given Vane personal offence, which was not likely to be forgotten. Though the estate of Raby was in Vane's possession, Strafford had chosen the barony of Raby to give a subsidiary title to his earldom.[1] Rather than see Vane in office, Strafford urged that Coke should be retained. He was borne down by the influence of Hamilton and the Queen, and on February 3 Vane became Secretary of State.[2] Vane's son had been brought, in the preceding spring, to some outward show of conformity, and, as Joint Treasurer of the Navy, was engaged, amongst other occupations, in reckoning up the payments of ship-money as they came slowly in.

Vane proposed.

Feb. 3. Becomes Secretary.

The appointments which had just been made were not likely to smooth away the real obstacles to a good understanding between Charles and his people. He could hardly, however, venture to face a Parliament without liberating Valentine and Strode, the two of the companions of Eliot's imprisonment who still remained in custody. They had been the confessors, as Eliot had been the martyr, of the Parliamentary faith. After a seclusion from the world of almost eleven years they stepped forth into freedom.[3]

January. Release of Valentine and Strode.

Whilst Charles was calculating the chances of a Parliamentary grant for his Scottish war, the Queen was, naturally enough, alarmed at the probability that Parliament would ask for a renewal of the persecution of the Catholics. Con, who had pleaded their cause with her so successfully, had left England in the preceding autumn, and had died soon after his arrival in Rome. His successor was an Italian prelate, the Count Rossetti. Rossetti's first impression of England had been one of amazement at the liberty enjoyed by the Catholics, and more especially at the language of Windebank, who, though ostensibly a Protestant, spoke to him 'like a zealous Catholic,' and offered to give him every

1639. The Queen anxious about the Catholics.

August.

Rossetti at Court

September.

[1] Cave to Roe, Feb. 7, *S. P. Dom.* ccccxliv. 54.

[2] Clarendon's account is borne out by Rossetti's despatches.

[3] Rossingham's *News-Letter*, Jan. 24, *Add. MSS.* 11,045, fol. 87.

information of which he might stand in need.[1] As soon as he heard of the approaching meeting of Parliament, he appealed to the Queen for protection against the very probable demand of the Commons for his own dismissal. The Queen carried his representations to her husband, and returned with comforting assurances. Charles had told her, that if the point were raised he would reply that her right to hold correspondence with Rome was secured by her marriage treaty. "This," she explained to Rossetti, "is not true, but the King will take this pretext to reduce to silence anyone who meddles with the matter."[2] Before long this precious scheme broke down. The necessary secrecy was not observed, and the project reached the ears of Coke. Coke, who was out of humour at his own dismissal, went about assuring all who would listen to him that the treaty did not contain a word about a correspondence with Rome. Another scheme which presented itself to the Queen's mind was still more unwise. Many of the Catholic peers were prevented from taking their seats in the House of Lords by their refusal to take the Oath of Allegiance. It was now suggested that the lords had no right to impose this qualification, and it was hoped that, if it was abandoned, the Catholics would be better represented in Parliament than had hitherto been the case. Yet the Queen could not but feel that, even if she had her wish in this matter, the prospects of the Catholics were very unfavourable. She applied to Strafford for help. Strafford answered civilly, but his civil answers did not inspire confidence. He was always an enigma to the Queen and her friends. Rossetti was not quite sure whether he was a Protestant or a Puritan, but was inclined, on the whole, to regard him as a Puritan.[3] If he meant, as he probably did, that Strafford

Asks protection against the Parliament.

December.

Plans for securing the Catholics.

1640. February.

The Catholic peers to be allowed to sit and vote.

March.

The Queen applies to Strafford.

[1] Rossetti to Barberini, Sept. $\frac{6}{16}$, *R. O. Transcripts.*

[2] "Il che se bene non è vero, vuole nondimeno valersene il Rè per pretesto per ribattere chiunque sarà per trattarli di questo fatto." Rossetti to Barberini, $\frac{\text{Dec. 27}}{\text{Jan. 6}}$, *ibid.*

[3] Rossetti to Barberini, $\frac{\text{Jan. 24, Feb. 28}}{\text{Feb. 3, March 9}}$, March $\frac{13}{23}$, *ibid.*

had no wish to favour the Catholics, he was doubtless in the right.

So slight were Charles's hopes of a successful issue of the Parliament which he had summoned, that he was already looking abroad for the support which was likely to fail him at home. Since the sea-fight in the Downs and the detention of the Elector Palatine, he was more alienated from France than before, and more convinced that Richelieu was at the bottom of his Scottish troubles. His relations with the States-General were equally unsatisfactory. Aerssens, indeed, had arrived on a mission of explanation; but his explanations consisted simply in an assertion that Tromp had been doing good service to Charles by destroying the fleet of the common enemy; and that, at all events, he had only followed the precedent set by Charles himself in 1627, when he seized a French ship in the neutral harbour of the Texel.[1] Charles showed his displeasure in his reception of a proposal made to him at this time for a marriage between his eldest daughter Mary and the only son of the Prince of Orange. He told Heenvliet, the confidential agent of the Prince, that if he asked for his second daughter, Elizabeth, he might take the request into consideration. As the child was only four years old, the change was not likely to give satisfaction at the Hague.[2]

1639. December. Charles's relations with France, and with the Netherlands. Proposed marriage of an English princess with a son of the Prince of Orange. 1640. January.

Charles had, in fact, another alliance in view. That veteran intriguer, the Duchess of Chevreuse, had suggested that Charles's eldest son and daughter should be united to the daughter and the son of the King of Spain. It was known that a new Spanish ambassador, the Marquis of Velada, would soon be in England to join Cardenas in urging Charles to avenge the insult which had been offered him by the Dutch. Sir Arthur Hopton, the English agent at

February. Proposed Spanish marriage.

[1] Aerssens and Joachimi to the States-General, Dec. $\frac{10}{20}$, *Add. MSS.* 17,677, fol. 146. See Vol. VI. page 187.

[2] Heenvliet to the Prince of Orange, $\frac{\text{Dec. } 27}{\text{Jan. } 6}$, Jan. $\frac{3}{13}$, Groen van Prinsterer, *Archives*, Sér. 2, iii. 159, 169.

Madrid, was instructed to hint that if Velada brought proposals for a new Spanish marriage, they would be favourably received.[1] It was not, indeed, likely that the overture would be really made. As usual, Charles took care to make the Spaniards understand how little his alliance was worth. Hopton was to say that his master found 'himself in a great strait' in consequence of the occurrence in the Downs. It would be as dangerous to show 'a sense equal to the affront' as to show 'none at all.' If he demanded reparation from the States, there would be no course open to him, in the probable event of a refusal, short of a declaration of war; and, as matters stood, a declaration of war was simply impossible. What he wanted, in short, was that Philip should help him out of his present difficulty, on the understanding that he would help Philip in turn when he was in more prosperous circumstances.

Feb. 7. Hopton's instructions.

The reply made by Olivares was not encouraging. He would hear nothing of an alliance unless Charles would actually declare war against the Dutch. In that case the old secret treaty, negotiated by Cottington for the partition of the Netherlands, should be revived, and Charles might choose any part of the Dutch territory which suited him best. If this offer was accepted, the King of Spain would do that which had been asked in vain in the preceding summer. He would lend Charles eight or ten thousand veterans in exchange for the same number of recruits. On the subject of the marriage Olivares was extremely reserved.

Feb. 18. Answer of Olivares.

In reporting this conversation Hopton warned Charles that he had little to expect from the Spaniards. They had now but few ships and less money. Their habit was to promise mountains and perform molehills.[2]

March 12.

These overtures to Spain were perhaps to some extent owing to Charles's prior conviction that the Scottish troubles

[1] Aerssens to the Prince of Orange, $\frac{\text{Dec. } 31}{\text{Jan. } 10}$, Groen van Prinsterer, *Archives*, Sér. 2, iii. 165.

[2] Windebank to Hopton, Feb. 7; Hopton to Windebank, Feb. 18, March 12, *Clarendon MSS.* 1,351, 1,353, 1,362.

were the result of Richelieu's intrigues. As a matter of fact, Richelieu had taken no part in them. It is true, indeed, that in May 1639 a certain William Colvill had been instructed by the Covenanting leaders to visit the Hague and Paris, in order to ask for the mediation of the States-General and the King of France, whilst another agent was to go with a similar object to the Queen of Sweden and the King of Denmark. Scruples, however, against the propriety of asking for foreign intervention prevailed; and, though the letters which these agents were to have carried were written, they were not despatched.[1]

1639. May. Relations between Scotland and France.

In proposing to make application to France, the Scots did but revive the old policy of their ancestors. The memory of the ancient league had not died away. Scottish archers still guarded the person of the King of France, and Scottish visitors to Paris in need of protection were in the habit of going straight to Richelieu's Scottish chaplain Chambers, seldom troubling themselves to pay even a visit of ceremony to the English Ambassador. Even in our days it has sometimes happened that a Scotsman can procure unwonted attention in Paris by the mere mention of his nationality.

The policy of giving active assistance to the Covenanters had a warm advocate in Bellievre. He had long ago entered into communication with their leaders, and had sent emissaries to Scotland to watch the course of affairs. When Dunfermline and Loudoun arrived in London at the end of the year, they sent to the Ambassador to ask for French support in case of need. In return, they were ready to engage to make no further treaty with Charles in which their alliance with France was not recognised, as well as to stipulate for the admission of Scots to the Committee of Foreign Affairs,[2] where they

Bellievre advocates intervention.

December. Offers of Dunfermline and Loudoun.

[1] *Baillie*, i. 190. Draft to the King of France, *Hailes's Memorials*, 60. The letter ultimately written is printed in *Rushworth*, iii. 1,119. In Mazure's *Hist. de la Révolution*, ii. 405, where it is also printed, it is followed by an instruction which is of a later date, and has no connection with the abortive mission of 1639.

[2] This proposal was based on a suggestion made by Bellievre in the autumn.

would be in a position to give warning of anything which might be contemplated to the prejudice of that alliance.

Bellievre would gladly have fallen in with this proposal. Richelieu would not hear of it. All through the summer he had been warning the Ambassador that it would be unwise to enter into any engagements with the Scots. The sagacious Cardinal held that Charles would ruin himself without any effort on the part of France. He now positively ordered Bellievre not to meddle in the affairs of Scotland. It was probably in consequence of this rebuff that Bellievre was recalled, at his own request. Early in January he returned to Paris.[1]

Richelieu refuses to accept them.

1640. January. Bellievre's recall.

In the beginning of February Traquair arrived in London, bringing with him the Scottish Commissioners who had been deputed to lay the case of their countrymen before the King. By neither side could it be seriously expected that any good would result from their mission; and Charles was more especially distrustful because Traquair had come into possession[2] of the letter which the Covenanters had intended to send to France by Colvill in the preceding spring. When Charles saw it he was confirmed in all his suspicions. Now, he thought, he would be able to prove to all men that religion had been but the pretext under which the Scots had cloaked deliberate treason.

February. Scottish Commissioners in London.

The letter to Louis falls into Charles's hands.

Feb. 18. The garrison of Edinburgh Castle reinforced.

Feb 19. Colvill despatched to France.

Nor were the Scots more hopeful of a satisfactory issue. They did not, indeed, break out into open resistance, and they even allowed a hundred English soldiers to enter the Castle of Edinburgh, as a reinforcement of Ruthven's scanty garrison.[3] Yet they knew that they must be prepared for the worst, and, on the day after the soldiers entered, Colvill was despatched to

[1] Chavigny to Bellievre. Louis XIII. to Bellievre, April $\frac{5}{15}$, Dec. $\frac{20}{30}$, $\frac{\text{Dec. } 30}{\text{Jan. } 9}$, *Bibl. Nat.* Fr. 15,915, fol. 302, 393, 398. Bellievre to De la Barde, $\frac{\text{June } 27}{\text{July } 7}$, *Arch. des Aff. Étr.* xlvii. 510.

[2] *Balfour*, iii. 76.

[3] Ettrick (*i.e.* Ruthven of Ettrick) to the King, Feb. 18, *S. P. Dom.* ccccxlix. 58.

France with a second letter asking for the mediation of Louis in the name of the ancient league.[1]

To this letter Montrose's signature was appended. If he was tending towards Charles, he had not yet gone over to him altogether. It was necessary to keep up appearances, and in December he had been compelled by popular clamour to refuse an invitation to Court which had reached him from Charles himself.[2] Yet it would probably be unjust to ascribe his conduct simply to a wish to keep up appearances. It may very well be that Charles's reluctance to throw the bishops frankly overboard had its effect upon Montrose as well as upon others. How much Charles's hesitation on this point contributed to give strength to his political opponents is evident to all dispassionate inquirers. Sir Thomas Hope was one of the most fanatical of the Covenanters. "My lord," he said one day to Rothes, who had assured him that the King meant to restore the bishops, "let no reports move you, but do your duty. Put his Majesty to it, and if it be refused then you are blameless. But if on these reports ye press civil points, his Majesty will make all Protestant princes see that you have not religion for your end, but the bearing down of monarchy."[3] If Charles expected to derive any strength from the monarchical sentiment which was still living in Scotland, he must agree quickly with the Presbyterians.

Montrose's position.

Hope's conversation with Rothes.

Unluckily for Charles, it was to England rather than to Scotland that he was looking for help. In his discussions with the Scottish Commissioners he showed no alacrity to win the hearts of Scotsmen by any plain declaration on the subject of Episcopacy. After some preliminary fencing, he took up the position that 'the supreme magistrate must have authority to call assemblies and to dissolve them, and to have a negative voice in them as is accustomed in all supreme powers of Christendom.'[4] He

The Scottish Commissioners heard.

March.

[1] The Covenanters to Louis XIII., Feb. 19, *Bibl. Nat.* Fr. 15,915, fol. 410. The instructions printed by *Mazure*, ii. 406, refer to this mission.

[2] Montrose to the King, Dec. 26, Napier, *Memoirs of Montrose*, i. 228.

[3] Hope's *Diary*, Jan. 14, 115.

[4] *Rushworth*, iii. 1035.

felt truly that the proposed acts contained nothing less than a political revolution; but he had nothing positive to offer. Even when the Commissioners observed that, after all, the Bills had not yet passed the Articles, and were consequently still open to revision, he made no attempt to seize the opportunity by announcing his readiness to assent to the Bill for repealing the Acts by which Episcopacy had been legalised. No wonder the Commissioners were left under the impression that his reservation of the negative voice implied a purpose to restore Episcopacy on the first favourable opportunity.[1]

These discussions, meaningless in themselves, were carried on in the midst of warlike preparations. On February 24 arrangements were made for pressing 30,000 foot from the several counties south of the Humber,[2] the northern shires being excused as having borne the burden heavily in the last campaign. At Edinburgh an appeal to arms was no less imminent. On the 25th some ill-built works which had been erected as a defence to the castle, fell down, and the population of the town refused to allow Ruthven to carry in the materials needed to repair the damage. A few days later the Earl of Southesk, Sir Lewis Gordon, and other noted Royalists were seized and imprisoned.[3] The struggle for sovereignty in Scotland was evidently about to recommence.

February. Preparations for war.

Occurrences in Edinburgh.

March.

One gleam of hope shone upon Charles's path. On March 16 Strafford crossed the Irish Sea, suffering, as he was, from his old disease, the gout. "Howbeit," he gaily wrote as he was preparing to embark, "one way or other, I hope to make shift to be there and back again hither in good time, for I will make strange shift and put myself to all the pain I shall be able to endure before I be anywhere awanting to my master or his affairs in this conjuncture; and therefore, sound or lame, you shall have me with you before the beginning

March 16. Strafford sets out for Ireland.

[1] *Rushworth*, iii. 994, 1018.

[2] Nicholas's *Minutes*, Feb. 24, *S. P. Dom.* ccccxlv. 6.

[3] Ettrick to the King, March 2, 11, 25, *ibid.* ccccxlvii. 6, 89, ccccxlviii. 81. *Spalding*, i. 260.

of the Parliament. I should not fail, though Sir John Eliot were living."[1]

Meeting of the Irish Parliament.

Strafford kept his word. On the 18th he landed in Ireland. The Parliament had been already two days in session. A body so equally divided was always at the disposal of a strong ruler. With his little phalanx of officials well in hand, he could throw the majority in the House of Commons on which side he pleased. In 1634 he had thrown it on the side of the colonists of English birth. In 1640 he threw it on the side of the native Irish. Predisposed by their religious ties to dread the victory of the Covenanting Scots, the Irish Catholics would be ready to follow Strafford at least so long as he could convince them of his power. When he left England he had intended to ask for six subsidies, a grant which was estimated as equivalent to 270,000*l.* On the recommendation of the Council, however, he contented himself with asking for four, or 180,000*l.*, on condition that the Commons would supplement it by a declaration that, if more were required, more should be given.[2]

March 23. Four subsidies voted.

The demand was made on the 23rd. Never was there a greater appearance of unanimity. Abhorrence of the Covenanters expressed itself in every word which was uttered. The King was thanked for not having taken what he needed by a simple act of the prerogative. He was assured that his Irish subjects would supply his needs if they left no more than hose and doublet to themselves. When the vote was taken, not a single negative was heard. Hands were stretched aloft and hats flung into the air, in a burst of enthusiasm. Those who witnessed the scene declared that if one part of the assembly was more vehement than another, it was that in which the native Irish were to be found.

[1] Strafford to —— (?), March 16, *Strafford Letters*, ii. 303. The editor gives this letter as written to Secretary Coke, though Coke was no longer Secretary. I suspect Conway to have been the recipient.

[2] The King to Strafford, March 2, 3. The Irish Council to Windebank, March 19, 23, *Strafford Letters*, ii. 391, 394, 396, 397. Cromwell to Conway, March 31, *S. P. Dom.* ccccxlix. 47.

This exuberant loyalty found full expression in a declaration by which the grant was accompanied.[1] Its phrases sound unreal enough now. Yet they were doubtless not altogether unreal to those who uttered them. The zeal of the Irish Catholics, at least, was quickened by a lively anticipation of future favours. If they took the lead in the overthrow of the King's enemies, what could possibly be denied them?

In Strafford's eyes the declaration was a simple act of confidence in himself. The Irish, he wrote, would be as ready to serve with their persons as with their purses. By the middle of May he would be ready to take the field at the head of an army of 9,000 men, if only money were sent from England to enable him to make the first payments before the subsidies began to come in.[2] The session was speedily brought to an end, and the Lord-Lieutenant recrossed the sea in hope to be as successful at Westminster as he had been at Dublin.

March 24. An Irish army to be levied.

The English elections were held in March. The returns were not to the satisfaction of the Court. Suspicion was doing its work among the electors and the elected. Men spoke of the cavalry which was being raised for the Northern war as if it were intended to keep Parliament in check. When the members arrived in London, it was evident that they did not quail before the danger. Their talk was of limitations to be placed on the prerogative, and of calling in question the ministers by whom it had been unduly exalted. The work of the Long Parliament was already in their minds.[3]

The English elections.

On the other hand, counsellors were not wanting to urge Charles to be prepared to resort to force, and, in the belief of those who were likely to be well informed, he cherished the idea as at least a possible resource in the not improbable event of a refusal of supplies.[4] As if to give warning of coming danger, he appointed a consider-

The King advised to use force.

[1] *Journals of the Commons of Ireland*, i. 141.

[2] Strafford to Windebank, March 24, *Strafford Letters*, ii. 398.

[3] Salvetti's *News-Letter*, March $\frac{20}{30}$.

[4] Giustinian to the Doge, March $\frac{13, 20}{23, 30}$, *Ven. Transcripts R. O.*

able number of Catholics as officers in his new army, whilst all who were tainted with Puritanism were sedulously excluded.[1]

He expects much from the letter of the Scots to Louis.

It was no immediate blow that Charles contemplated. He placed great confidence in the effect likely to be produced even upon the new House of Commons by the revelation which he had in store. On the back of the letter which Traquair had brought him was an address *Au Roi*. It was evident to Charles not only that the Scots had committed treason in addressing Louis as their King, but that every reasonable person was certain to come to the same conclusion. The opinion of the House of Commons would in this way be gained over to his side.

April 11. The letter communicated to Louis.

A copy of the letter was first sent to the King of France.[2] Louis, of course, disavowed having ever seen it before; and, as the letter which he had seen was a different one, he was able to make this disavowal with at least literal truthfulness. Richelieu congratulated himself that he had kept clear of all negotiation with the Scots. "By this event," he wrote, "M. de Bellievre will see that we have been more prudent than he."[3]

Committal of Loudoun.

Of those whose signatures were appended to the letter, one only was in Charles's power. Loudoun was one of the Scottish Commissioners in London. He was at once committed to the custody of one of the sheriffs, and the other commissioners shared his fate, though they had nothing to do with the letter. It is probable that Charles's real motive was to be found in his anxiety to cut off all communication between them and the members of the English Parliament. At all events, Loudoun was soon removed to stricter confinement in the Tower.

In spite of the hopes which he founded on the effect of the letter which he had in his hands, Charles was depressed and

[1] Rossetti to Barberini, $\frac{\text{March } 27}{\text{April } 6}$, *R. O. Transcripts*.

[2] The King to Leicester, April 11, *Sydney Letters*, ii. 645.

[3] Richelieu to Chavigny, $\frac{\text{April } 24}{\text{May } 4}$, *Avenel*, vi. 689.

anxious. The Privy Councillor's loan had been all too little for his needs. In vain he called on the citizens to lend him 100,000*l.* at eight per cent. for the necessary defence of the realm. Two days before the date appointed for the meeting of Parliament, the Lord Mayor and aldermen were summoned before the Council. Manchester assured them not only that they were sure to have the money repaid, but that they ought to be grateful to the King for offering such advantageous terms. The citizens were not to be persuaded by his eloquence.[1]

The City refuses to lend money.

Parliament was opened on April 13. The new Lord Keeper, who had recently been raised to the peerage as Lord Finch of Fordwich, set forth at length the disloyalty of the Scots, dwelt upon their unnatural conduct in opening negotiations with foreign states, and pointed out that, now that Ireland had been civilised, Scotland was the only quarter from which England was open to attack. It was in defence as much of his subjects as of himself, that the King had been compelled to raise an army. For the payment of that army money was urgently needed. In order to anticipate any dispute about tonnage and poundage, a Bill had been prepared, in which those duties would be granted from his Majesty's accession. When this and a Subsidy Bill had been passed, Parliament would have some time to devote to the consideration of grievances, and, if the season of the year did not allow sufficient opportunity, another session should be held in the following winter.

April 13. Finch's speech at the opening of Parliament.

As soon as the Lord Keeper had finished his speech, the King called on him to read the intercepted letter. "The superscription," said Finch, "is this—*Au Roi*. For the nature of which superscription, it is well known to all that know the style of France that it is never written by any Frenchman to any but to their own king; and therefore, being directed *Au Roi*, it is to their own king; for so in effect they do by that superscription acknowledge him."

The letter to the French King produced.

As the letter itself bore no intimation of any such acknow-

[1] Rossingham's *News-Letter*, April 14, *S. P. Dom.* cccl. 88.

ledgment, the whole evidence of treasonable intention lay in the superscription ; and it is needless to say that this evidence was far too flimsy to support the weight which it was intended to bear.[1] Even if the superscription had been treasonable, there was nothing to connect it with any one of those by whom the letter had been signed. On the 14th Loudoun was examined. He asserted that he was completely ignorant of the French language, but that, so far as he knew, the letter was harmless. At all events, it had never reached its destination.

April 14. Loudoun examined.

Charles had gone too far to draw back. On the 16th the letter was read by Windebank in the House of Commons. It made no impression whatever there. The Commons were far more interested in noting that Finch had not had even a passing word to spare for the all-important subject of ship-money.[2]

April 16. The Commons proceed to business.

The intercepted letter was therefore simply ignored by the Commons. Harbottle Grimston, the member for Colchester, was the first to break the ice.[3] He argued that, bad as a Scottish invasion might be, the invasions made upon the liberties of the subjects at home were nearer and more dangerous. Not only ought these grievances to be remedied, but an example ought to be made of those men with whom they had originated.[4]

Grimston's speech.

Grimston was an excellent specimen of that great middle party, on whom devolved the burden of maintaining in its

[1] No doubt *Au Roi* was not in any proper sense a direction. Several letters would be included in one packet, and marked *Au Roi*, *Au Cardinal*, &c., for the mere instruction of the bearer or receiver.

[2] Rossingham's *News-Letter*, April 14, *S. P. Dom.* ccccl. 88. The scanty notices of this Parliament which are to be found in Rushworth may be largely supplemented from Rossingham's letters and notes. There is also a separate set of notes in *Harl. MSS.* 4,931, fol. 47, and there are special reports of speeches amongst the State Papers.

[3] This phrase, used by Clarendon of Pym, is here used of Grimston, to whom it properly belongs. Clarendon's account of this session is nearly worthless.

[4] *Rushworth*, iii. 1128.

essential parts the old constitution of the country. Born the second son of a baronet, he devoted himself in early manhood to the study of the law. On his elder brother's death he gave up his profession as standing no longer in need of its emoluments. Soon afterwards he met and admired the daughter of Croke, the judge, who was to render good service to the State by his judgment in Hampden's case. He found that the old lawyer would not hear of a son-in-law who had turned aside from the legal plough, and, to gain a wife, young Grimston returned to the practice of the law. In 1638 he was appointed Recorder of Colchester, and he now sat in the Commons as member for that borough. He lived long enough to be able to boast that he had refused to take the Solemn League and Covenant, and that he had stood up alike against Laud and against Cromwell. He was a fitting Speaker of that Convention Parliament which recalled Charles II. without sharing in the violent intolerance of its successor, the Long Parliament of the Restoration, and he died at an advanced age, two years before the accession of James II. Pious without fanaticism, and charitable without ostentation, he was naturally distrustful of all that was new and unexpected, and in this he did no more than reflect those conservative instincts which in every nation stand in the way of too rapid change.[1]

Grimston a type of a party.

Grimston was followed by Seymour, in a speech more especially directed against the ecclesiastical grievances. After that Rudyerd discoursed, in his usual benevolent way, on the virtue of moderation, and proved decisively that he had grown neither wiser nor more resolute since he sat in the Parliament of 1628. As far as we know, no one rose in defence of Charles's government.

Speeches of Seymour and Rudyerd.

Whilst the tide was thus running strongly against Charles's system in the Commons, it received an unexpected blow in the Upper House. At the end of the sitting, Laud moved, as usual, that, as the following day was appointed for the sitting of Convocation, the House should adjourn over it, on account of the enforced absence of the bishops. Saye objected, on the ground that the presence

The Lords refuse to adjourn.

[1] Collins's *Peerage*, viii. 214.

of the bishops was unnecessary to give validity to the proceedings of the Peers. Laud modestly answered that he asked for the adjournment not of right, but of courtesy. Finch came to the support of the Archbishop, stating that he was himself out of health, and that it would be difficult for him to attend, upon which the adjournment was voted solely on account of the Lord Keeper's inability to be present. It was evident that the bishops were as unpopular amongst the Lords as they were amongst the Commons. "The Lower House," was Northumberland's comment on that day's proceedings, "fell into almost as great a heat as ever you saw them in my Lord of Buckingham's time, and I perceive our House apt to take fire at the least sparkle."[1]

The Lords ready to attack the Bishops.

The next day petitions from several counties, complaining of grievances of every kind, were presented to the Commons. The courtiers described them as the Scottish Covenant 'wanting only hands.'

April 17. The petitions from the counties.

If the petitions wanted hands, Pym gave them a voice. He spoke for nearly two hours, a length to which the Commons of those days were unaccustomed. The speech itself, sustained as it was by the fervour of strong conviction, had nothing of the poetic imagination for which members of earlier parliaments had never looked in vain to Eliot or Wentworth. Those who sympathised with Pym most thoroughly feared lest his long argumentative reasoning should strike coldly upon the ears of his hearers. When he sat down they knew that their fears had been unfounded. The general sense of the House was expressed by cries of "A good oration!"[2]

Pym's speech.

The House was in the right. Pym's speech was one of those which gain immeasurably by subsequent study. Its greatness consists far more in what the speaker left unspoken than in what he said. Others could have summed up the well-known catalogue of grievances as well. The words of the petitions were too distinct to allow much

Its merits.

[1] Northumberland to Conway, April 17, *S. P. Dom.* cccl. 101.

[2] "The best feared it would scarce have taken because it was so plain; but at the end of it all cried out, A good oration!" *Harl. MSS.* 4,931, fol. 47.

room for addition. That which marked Pym from henceforth as a leader of men was the moderation combined with firmness with which every sentence was stamped. It was easy enough to start with an assurance that the King would be strengthened rather than weakened by granting the relief demanded. The Scotch Covenanters had said as much as that. But it was not easy to say things which must have been diametrically opposed to all the King's ideas, and yet so to say them as to give as little offence as possible to men who had no sympathy with fanaticism or violence. It may possibly have occurred to Pym's hearers—it will certainly occur to his readers—that the cause which Pym and Eliot had alike at heart had gained not a little by the sad fate which had condemned the stainless martyr to an early grave.

Pym on parliamentary privilege.

The first words with which Pym touched on the great question of parliamentary privilege showed how thoroughly he was in accord with Eliot's principles. The 'powers of Parliament,' he said, 'are to the body politic as the rational faculties of the soul to a man.' The whole spirit of the coming revolution, at least on the political side, was to be found in these words. They made, indeed, the task of this Parliament hopeless from the first. It was the contention of Charles against the Scots that he and no assembly, civil or ecclesiastical, was the soul of the body politic. What would it advantage him to receive subsidies and to gather armies to impose his authority on Scotland, if he were compelled to yield at Westminster all that he claimed at Edinburgh. It was therefore to the nation rather than to Charles that Pym's appeal was addressed. If once this first principle were admitted, all the rest of his argument would follow. The complaint was justified, that the events of the last day of the session of 1629 and the treatment of the imprisoned members had been distinct violations of the privileges of the House, and even that the sudden and abrupt dissolution of Parliaments before their petitions were answered was 'contrary to the law and custom.'[1]

[1] The ground on which the Scots had opposed the prorogation of their Parliament was that the matters were still dependent before the Lords of the Articles, and therefore neither accepted nor denied.

On turning to the ecclesiastical grievances, Pym stepped upon more uncertain ground. Till the question of Church government had been solved in the sense of religious liberty, there could be no permanent solution of the constitutional problem. Yet for Pym or for any other man to solve it as yet was altogether impossible. The sense of irritation which had been roused by Laud's unwise proceedings had been conducive to a temper predisposed to treat Laud and his allies as the enemies of the Church and country. It might, indeed, have been expected that, after the occurrences of the last eleven years, Pym would have called for measures far more stringent than had satisfied the last Parliament. Exactly the contrary was the case. In 1629 Eliot led the House in asking for the proscription of all but Calvinistic opinions. In 1640 Pym, after speaking of the danger from Popery, touched lightly upon the support which had been given in public to 'the chiefest points of religion in difference between us and the Papists.' Abstaining from any attempt to set up a new doctrinal test, he commented less upon the opinions of his opponents than upon their ceremonial innovations. He spoke of 'the new ceremonies and observances, which had put upon the churches a shape and face of Popery,' of the introduction of 'altars, images, crucifixes, bowings, and other gestures,' the preferring of the men who were most forward in setting up such innovations, and the discouragement of the 'faithful professors of the truth.' Matters of small moment had been taken hold of 'to enforce and enlarge those unhappy differences,' and 'to raise up new occasions of further division.' Then, too, there had been 'the over rigid prosecution' of those who were 'scrupulous in using some things enjoined,' which were yet held by those who enjoined them to be in themselves indifferent. Pym's remedy for the mischief lay at least in the direction of liberty. "It hath ever been the desire of this House," he said, "expressed in many Parliaments in Queen Elizabeth's time and since, that such might be tenderly used. It was one of our petitions delivered at Oxford to His Majesty that now is; but what little moderation it hath produced is not unknown to us all. Any other vice almost may be better en-

On ecclesiastical innovations.

dured in a minister than inconformity." That there might be no doubt to what he referred, he enumerated the cases in which punishment had been inflicted 'without any warrant of law.' Men, he said, had been brought to task for refusing to read the Declaration of Sports, for not removing the communion-table to the east end, for not coming to the rails to receive the Sacrament, for preaching on Sunday afternoons instead of catechising, and even for using other questions than those which were to be found in the authorised Catechism. Finally, there had been abuse in the exercise of ecclesiastical jurisdiction.

It cannot be denied that to grant Pym's demands would have broken up the Church system of Charles and Laud; but, though some of the more extreme ceremonial forms would undoubtedly have been proscribed, the whole tone of his speech was in favour of a liberal and comprehensive treatment of the Church question. The unnecessary restrictions upon conscientious religion held far the largest space in his argument. Even when Pym spoke of practices to which he took objection, it was the compulsion even more than the practices which he held up to animadversion.

Finally, came the long enumeration of the political grievances. The enforcement of tonnage and poundage, and of impositions without a Parliamentary grant, which had been the subject of contention in preceding Parliaments, was naturally placed first. Pym distinctly asserted that in attacking these he had no wish to diminish the King's profit, but merely to establish the right in Parliament. Then came the grievances of the past eleven years—the enhancement of the customs by the new book of rates, the compositions for knighthood, the monopolies in the hands of the new companies, the enforcement of ship-money, the enlargement of the forests, the appeal to obsolete statutes against nuisances in order to fill the exchequer, whilst no attempt was made to abate the nuisances themselves; and last of all, those military charges which were now for the first time treated as a grievance. Pym gave a history of the way in which these last charges had grown. Coat-and-conduct money, or the expenses of clothing newly raised levies, and of taking them to the place of rendezvous had

The civil grievances.

originally been borne by the Crown. Elizabeth in her need had sometimes asked the counties to advance the money till she was able to repay it. By degrees the exception had become the rule, whilst the engagement to repay the advance had ceased to be observed. New customs were already springing up. Not only were men pressed against their will, but the counties were compelled to furnish public magazines for powder and munitions, to pay certain officers, and to provide horses and carts for the King's service without any remuneration whatever.

As Pym knew, the strength of the King's authority lay in his being able to fall back upon the courts of law. As yet no one was prepared to strike at the root of the evil. Pym contented himself with protesting against 'extrajudicial declarations of judges,' made without hearing counsel on the point at issue, and against the employment of the Privy Council and the Star Chamber in protecting monopolists. Many of the clergy had thrust themselves forward to undertake the defence of unconstitutional power. It was 'now the high way to preferment' to preach that there was 'Divine authority for an absolute power in the King' to do what he would with 'the persons and goods of Englishmen.' Dr. Manwaring had been condemned in the last Parliament for this offence, and he had now 'leapt into a bishop's chair.

The intromission of Parliaments.

Then, returning to the point from which he started, Pym pointed to the source of all other grievances in 'the long intromission of Parliaments, contrary to the two statutes yet in force, whereby it is appointed there should be Parliaments once in the year.'

The remedy.

How then was the mischief to be remedied? Here Pym refused to follow Grimston. He refrained from requiring that any individual minister should be called to account. Let them ask the Lords to join in searching out 'the causes and remedies of these insupportable grievances,' and in petitioning the King for redress.[1]

[1] I cannot agree with Ranke in holding that the draft in the State Paper Office is more accurate than that given by Rushworth. It leaves out all about the privileges of Parliament. The printed speech in the King's Pamphlets, used by Mr. Forster, is not perhaps to be taken as being

Such a speech, so decisive and yet so moderate, carried the House with it. It laid down the lines within which, under altered conditions, the Long Parliament afterwards moved. It gave no offence to the hesitating and timid, as Eliot had given offence by summoning the King's officers to the bar, and by his wild attack upon Weston. It seemed as if both Houses had agreed to follow Pym. The next day the Lords called in question the appointment of Manwaring to a bishopric, whilst the Commons placed Grimston in the chair of a Committee of the whole House, sent for the records of the case of Eliot and his fellow-prisoners, and appointed a Select Committee to draw up a narrative of the proceedings against them. Before the House rose, it had ordered that the records of the ship-money case should also be brought before it.

April 18. Proceedings in both Houses.

The feeling against the bishops was perhaps even stronger in the Lords than in the Commons. There was more of personal jealousy there, as there had been among the nobility of Scotland. It was in the House of Lords that, for the first time since the days of Lollardism, the old constitutional doctrine, that the lay peers, the clergy, and the Commons were the three estates of the realm, was brought in question. The bishops were distinctly told that the three estates were the King, the Barons, and the Commons. "The bishops then," it was said, "would make four estates or exclude the King."[1]

The three estates of the realm.

The words thus defiantly spoken did not touch the bishops alone. The notion that Parliament was the soul of the body politic, had been welcomed by the Lords. The King was no longer to reign supreme, summoning his

The King to be an estate.

literally Pym's as it was spoken. There was no thorough system of shorthand in those days. But it has every characteristic of Pym, and most probably was corrected by him, or by some one present on the occasion of its delivery, and I have quoted from it as from something better than 'a later amplification.' The report given in *Rushworth*, iii. 21, is, as Mr. Forster has pointed out, another report of this speech. Mr. Forster was, however, wrong in saying that Pym did not speak on Nov. 7.

[1] *Harl. MSS.* 4,931, fol. 47.

estates, as Edward I. had summoned them, to gather round his throne. He was to be no more than a first estate, called on to join with the others, but not called on to do more. To such a pass had Charles brought himself by his resolution to walk alone. The time was not far off when even so much participation would be denied him.

On the 21st the feeling of the Peers was even more strongly manifested. Bishop Hall had recently attracted attention to himself by publishing, at Laud's instigation, a work entitled *Episcopacy by Divine Right*, in which he had argued that the primitive character of Episcopacy stamped it with Divine authority.[1] He now rashly spoke of Saye as one who 'savoured of a Scottish Covenanter.' He was at once ordered to the bar. "If I have offended," he said, "I cry pardon." The words were received with a shout of "No ifs!" and Hall was forced to beg pardon in positive terms.

April 21. Hall obliged to beg pardon.

In the meanwhile, the Lower House was busy with its grievances. Preparations were made to petition the King on the breach of privilege in 1629, and to draw up a statement of the case against the Crown on ship-money and the impositions.

The Lower House busy with grievances.

On this, both Houses were summoned to Whitehall. In the King's presence, Finch explained the absolute necessity of a fleet, and declared that the King 'was not wedded to this particular way' of supporting it, and that if the Houses would find the money in some other manner he would readily give his consent to the change. Then, after holding up the example of the Irish Parliament as worthy of imitation, Finch turned

Finch explains that the King will accept any other way of supporting a navy.

[1] Professor Masson is rather hard upon Hall all through this affair (*Life of Milton*, ii. 124). It should be remembered that the book was intended not as a private venture of Hall's, but as a manifesto of the English Church. It was therefore perfectly reasonable that Laud, being invited to comment, should do as he was asked. After all, the comments were merely those which would suggest themselves to a mind rather more resolute and thorough than that of Hall, and Hall did himself no discredit by accepting them. There is nothing in them in the slightest degree discordant with Hall's own system, which may be seen briefly in a paper of propositions sent by him to Laud (Laud's *Works*, iv. 310).

to the Lords. His Majesty, he said, did not doubt 'that, if the House of Commons should fail in their duty,' the Lords would concur with him to preserve himself and the nation.

The appeal to the Lords was followed by an appeal to a body upon which the Commons looked with no slight jealousy.

April 22. Subsidies voted in Convocation.

On the 22nd, at Laud's request, Convocation unanimously granted six subsidies from the clergy.[1] These subsidies would, in the usual course, require the confirmation of Parliament before they could be levied, but it was natural that the Commons should not be very well pleased with the contrast between the alacrity of the clergy and their own deliberate hesitation.

The next day, accordingly, the House went into committee on the message delivered by the Lord Keeper, and resolved to demand a conference with the Lords. "Till the liberties of the House and kingdom were cleared, they knew not whether they had anything to give or no."[2]

April 23. Resolution of the Commons to take grievances first.

When the news of this resolution reached the King, he was at supper. He rose angrily from the table, and summoned the Council to meet at once. That evening he had his sternest counsellor once more by his side. In spite of gout, Strafford had come back from Ireland. He found that his opponents at Court had taken advantage of his absence to complain of him as the main author of the summoning of so untoward a Parliament.[3] He little heeded their words. He fiercely urged that Charles should go down to the House of Lords the next morning before the message of the Commons had been delivered, and should urge the Peers to declare that it was right that the satisfaction to be given to the King should precede the presentation of grievances.[4]

Strafford in Council.

Strafford's advice was taken, and at the opening of the next morning's sitting, Charles appeared in the Upper House. This

[1] *Nalson*, i. 36.

[2] *Harl. MSS.* 3,931, fol. 47 b.

[3] Rossetti to Barberini, $\frac{\text{April } 24}{\text{May } 4}$, *R. O. Transcripts.*

[4] Montreuil to Bellievre, $\frac{\text{April } 30}{\text{March } 10}$, *Bibl. Nat.* Fr. 15,995, fol. 81.

time he spoke with his own mouth. The Commons, he said, had put the cart before the horse. His necessities were too serious to admit of delay. If the Commons would trust him, he would make good all that Finch had promised in his name, and hear their grievances in the winter. In the other alternative, he conjured their lordships not 'to join with them, but to leave them to themselves.'

April 24. Charles appeals to the Lords.

In an attack upon the bishops, the Lords were ready to go at least as far as the Commons. But they were too accustomed to support the Crown to fall into opposition on such an appeal as this. In a House of 86, of which 18 were bishops, 61 voted that the King's supply ought to have precedence of grievances. The minority of 25 contained the names of Hertford and Southampton, who afterwards took the side of the King in the Civil War, as well as those of Bedford, Essex, Brooke, and Saye.[1]

The Lords support the King.

Strafford had done neither the King nor the Lords service in thus thrusting the Upper House forward in opposition to the Lower. What he did amiss sprang from his fundamental misconception of the situation. Like Wellington in 1831 and 1832, he saw the constitution threatened by a change which would shift completely, and for ever, the basis of power. Believing in his heart that this change would be prejudicial to the country, he was ready to resist it with every instrument that came to his hand. Like Wellington, he would have appealed first to the House of Lords, in the hope that the voice of the Lords would serve as a rallying cry for the well-affected part of the nation; but there can be little doubt that he would have refused to be controlled by any numerical majority whatever, and would have fallen back upon an armed force if necessary, to beat down a resistance which he believed to be destructive of all that was most valuable in the country.

[1] The minority were Rutland, Southampton, Bedford, Hertford, Essex, Lincoln, Warwick, Clare, Bolingbroke, Nottingham, Bath, Saye and Sele, Willoughby of Parham, Paget, North, Mandeville, Brooke, Robartes, Lovelace, Savile, Dunsmore, Deyncourt, Montague of Boughton, Howard of Escrick, and Wharton. Note by Windebank, *S. P. Dom.* ccccli. 39.

It was a fatal mistake, fatal if only because it was out of Strafford's power to keep erect that mingled system of law and prerogative which stood for the English constitution in his eyes. If the Commons persisted in their opinion, the only choice would be between a military despotism and the supremacy of the Lower House. If Pym could not in the face of Charles call back into existence the whole of the Elizabethan constitution, he was at least standing up in defence of its nobler and better part. The claim of Englishmen to determine their own policy, and not to be the humble recipients of bounties at the good pleasure of the King and the bishops, was the question at issue. Pym might not produce a complete and perfect work. He might sometimes be harsh in his judgments and defective in penetrating motives; but, for all that, it was the voice of Pym and not the voice of Strafford which appealed to the memories of the great England of the past, and which reached across the gulf of time to do, as Eliot would have said, the work of posterity, and to call into being the greater England of the future. It is of greater importance that men shall throw themselves with energy into public affairs, than that the laws by which they are governed shall be the best which human reason can invent.

Strafford had to content himself with the approbation of the Court. Charles said openly that he trusted him more than all his Council. Even the Queen was won. She told him[1] that she esteemed him the most capable and faithful servant her husband had. The Commons were not likely to regard his performances in the same light. For a moment, perhaps, the thought of averting a collision gained the upper hand. Might it not be possible to vote money to the King with the proviso that it should not be used against the Scots? Pym had little difficulty in showing the absurdity of the proposal; and the House, recovering its balance, took up as a breach of privilege the suggestion about supply which had been made by the Peers, and demanded reparation. Before the question, thus raised, came to an issue,

April 27. The Commons declare this a breach of privilege.

[1] Montreuil to Bellievre, $\frac{\text{April 30}}{\text{May 10}}$, *Bibl. Nat.* Fr. 15,995, fol. 81.

Charles learned how little he could count even upon the Upper House in ecclesiastical matters. It needed his special intervention to hinder the Lords from passing a fresh censure on Manwaring.[1]

April 29. The Lords maintain their point.

On the 29th it appeared that, though the Lords resolved to maintain their position, the resistance of the Commons had not been without its effect. This time the King's majority had dwindled from 36 to 20. The resolution of the Upper House let loose men's tongues. For the first time in English history its composition was unfavourably canvassed. In that House, it was said, 'there were few cordial for the commonweal;' its members spoke 'so cautelously as doth not become a free Commonwealth.' The votes of the bishops and the councillors were at the King's disposal. It was well known that a heavy pressure had been put on the Lords by the King. Carlisle and others acknowledged that they had voted against their consciences. Holland had been urged to speak on behalf of the King. He had given a silent vote and had retired to Kensington in disgust. Newport, on the other hand, declared that he had been so agitated as to vote against the King by mistake. "They of the Upper House," it was bitterly said, "were fully fitted for slavery."[2]

May 1. Dr. Beale sent for.

On May 1 the first division of the session was taken in the Commons. Pym stated that Dr. Beale, the Master of St. John's at Cambridge, had asserted, in a sermon, that the King had power to make laws without the help of Parliament, and moved that he should be sent for

[1] "The House begins to proceed to censure Manwaring; but the King sent word that they should desist, or not censure him so far as to make him incapable of his bishopric.

"The Archbishop affirmed that, if the Parliament did deprive a man of his bishopric, it was in the King's power to remit that censure. Some said that he pleaded his own case.

"My Lord Saye spoke nobly for the kingdom, but he had many adversaries. He answered the Lord Keeper, the Archbishop, &c., but none was found a match for him but the Deputy of Ireland." *Harl. MSS.* 4,931, fol. 48.

[2] *Harl. MSS.* 4,931, fol. 486. Montreuil to Bellievre, $\frac{\text{April 30}}{\text{May 10}}$, *Bibl. Nat.* Fr. 15,995, fol. 32.

to account for his words. An amendment that the evidence should first be referred to a Select Committee was lost by a majority of 109. It was impossible to have a plainer indication of the temper of the Commons on ecclesiastical matters.[1]

That same day news arrived from Scotland which made Charles more impatient than ever for an immediate grant of money. The first blood in a new civil war had been shed at Edinburgh. The citizens had thrown up a work opposite the gate of the Castle, and Ruthven had replied by firing upon them with his cannon. Four of the townsmen had been slain and some houses injured.

Shots fired from Edinburgh Castle.

Upon this the King himself intervened, asking for an immediate answer to his request for money. In the Lords, Strafford distinctly announced that a refusal would be followed by a dissolution, and there can be little doubt that Vane conveyed the same intimation to the Commons. The Lower House went at once into committee, and broke up at the unusually late hour of six in the evening without coming to any conclusion.

May 2. The King's message.

Debate in Committee.

Though no vote was taken, the general feeling of the House was to be ascertained without difficulty. The impression left by the debate was that the Commons would have been quite ready to leave to some future time the discussion of their ecclesiastical grievances, and of that invasion of their privileges which they held to have taken place in 1629; but that they were unwilling to vote money until the question of arbitrary taxation had been fully cleared up. It must be finally settled, they thought, that the King had no right to take what they were prepared voluntarily to offer. Not only must the money required for the navy be levied by a Parliamentary grant, but the money needed for the army as well. The military charges, especially coat-and-conduct money, must no longer be fixed upon the subject by the sole authority of the King.[2]

Feeling of the House.

The next day was a Sunday. At the Council Board Straf-

[1] *Commons' Journals*, ii. 18. Rossingham's *News-Letter*, May 4, *S. P. Dom.* cccclii. 20.

[2] Rossingham's *News-Letter*, May 5, *Add. MSS.* 11,045, fol. 114.

ford recommended the King not to allow ship-money to stand in the way of a reconciliation with the Commons. Charles consented that the ship-money judgment should be carried before the House of Lords upon a writ of error, where it would undoubtedly be reversed. No better way of making the concession could possibly be devised. On another point Strafford found him less yielding. When Vane argued that no less than twelve subsidies, or about 840,000*l.*, should be fixed as the price of so great a concession, Charles seemed inclined to agree with him. Strafford, in the very spirit of Bacon, urged that there should be no haggling in the matter. He told the King, 'that the said offer to the Commons' House ought not to be conditional,' but that he should 'put it upon their affections for supply.' Charles answered, hesitatingly, that he feared less would not serve his occasion. Before Strafford's repeated warnings, however, he gave way at last and consented to be satisfied with eight.[1]

May 3. Resolution taken in the Council.

Contest between Strafford and Vane.

Strafford's urgency was entirely thrown away. It was impossible to rely upon Charles for any steady and consistent policy. It is exceedingly probable—though no evidence of the fact exists—that after the Council was dismissed, Vane drew away the King from the conciliatory attitude recommended by Strafford. At all events, he was able to appear in his place in Parliament the next morning to deliver a message, distinctly asking for twelve subsidies as the price of the abandonment of ship-money.

Vane gains over the King.

May 4. Twelve subsidies demanded.

The House was again in committee. Hampden asked that the question might be put whether the King's request, 'as it was contained in the message,' should be granted. Edward Hyde—then, as ever, anxious to step forward as a mediator between extreme opinions—asked

The debate in committee.

[1] The only distinct information we have is from Strafford's interrogatories (Whitaker's *Life of Radcliffe*, 233). It is evident that they do not all relate to the same discussion. The last five interrogatories are plainly connected with the later Council, at which a dissolution was resolved on.

that the question should be simply whether supply should be given at all.[1] He might reasonably expect that many members who would vote in the negative on Hampden's motion, would vote in the affirmative on his.

The debate which followed only served to bring out the difficulties of an agreement in a stronger light than Strafford had supposed to be possible. The dread of an early dissolution, indeed, had great effect. As far as the amount of the subsidies was concerned, those who most strongly objected to even a tacit acknowledgment of the legality of ship-money, were prepared to vote at least six subsidies; and Strafford, at all events, was ready to advise the King to accept the offer. Glanville, the Speaker of the House, a lawyer of no mean repute, inveighed bitterly against taxation by prerogative. The judgment of the Exchequer Chamber, he said, 'was a senseless judgment.' All the arguments contained in it 'might easily have been answered.' If it were allowed to stand upon record, 'after ages would see the folly of their times.' It was 'against law, if he understood what law was.'[2] Yet even Glanville recommended that supply should be given. An understanding would doubtless have been come to on the basis laid down by Strafford, if there had been no other question but that of ship-money before the committee. As the debate went on, however, greater prominence was given to the demand for the abolition of the military charges which had been mooted on the preceding Saturday.

Demand for the abolition of the military charges.

One of the members for Yorkshire, Sir William Savile, said that his constituents would not care how many subsidies were voted if only they were relieved of ship-money. He was at once contradicted by Bellasys, the other member for the same county, who, some years before, had suffered imprisonment for his

[1] So far, I suppose, we may trust Clarendon (ii. 72). His account of this Parliament, however, is so inaccurate that I dare not use his narrative of the debate. His memory only served him to show the figure of Vane as frustrating an agreement which, but for Vane's delinquencies, would have been brought about by himself.

[2] The last sentence is from Clarendon; the rest from *Harl. MSS.* 4,931, fol. 49.

insolence to Strafford. The men of Yorkshire, he now said, 'required to be eased of coat-and-conduct money, and other such military charges.' Unless their representatives brought them that relief they dared not return home. Another Yorkshireman, Sir John Hotham, put the case as strongly as possible. Ship-money, he said, had cost his county but 12,000*l.* The military charges cost it 40,000*l.* Others again attacked the whole system of impressment as Selden had attacked it in 1628.[1]

Such speeches, received with evident approbation by the House, drew forth a fresh declaration from Vane. He rose to state that the King would accept nothing less than the twelve subsidies which he had demanded in his message. Upon this the committee broke up without coming to a resolution, postponing further consideration of the matter to the following day.

Vane insists on the acceptance of the King's terms.

It is incredible that Vane should have thus acted without express authority from Charles.[2] The question of the military

[1] Rossingham to Conway, May 12, *S. P. Dom.* ccccliii. 24.

[2] By entirely omitting the matter of the military charges Clarendon reduces the whole affair to a personal question. My account is founded on two completely independent statements. There are amongst the State Papers some notes (*S. P. Dom* cccci. 94) which I believe to have been drawn up by Rossingham for circulation amongst his correspondents. In these we are told that 'the sense of the House was that not only ship-money should be abolished, but also all military taxes or other taxes for the future, by what name or title soever it might be called, should be provided against before that twelve subsidies were granted, so that no positive answer was this day given to his Majesty.' Northumberland, in a letter to Conway, of May 5 (*ibid.* ccccli. 33) is equally explicit. "The King," he wrote, "did yesterday offer the House of Commons to relinquish absolutely the shipping money if they would at this time supply him with twelve subsidies. This gave them not satisfaction. They desired to be also eased of the military charge, as they termed it, which was from the pressing, coating, and conducting of soldiers. Innovations in religion they likewise insisted much upon. Other grievances they trenched upon, but these were the main ones they complained of; and had they been well advised I am verily persuaded they might in time have gained their desires, but they in a tumultuous and confused way went on with their businesses, which gave so great offence unto his Majesty that this morning he hath dissolved the Parliament."

charges affected the King far more deeply than even the question of ship-money. Charles knew well that, whether ship-money were levied by the prerogative or not, England could no longer endure to be without a navy. At that very moment Barbary pirates were cruising off the mouth of the Channel, scuttling English ships and dragging English sailors into a miserable captivity. But if the Commons could not refuse to supply the Government with a navy, they might very well refuse to supply it with an army. If Charles assented to their present demand, the machinery by which he had been in the habit of collecting a military force would be hopelessly disarranged. Nor was this all. Though it does not seem that any word of direct sympathy with the Scots was spoken in that day's committee, it must have been evident to the Privy Councillors present that the war itself found but little support amongst the members of the House. Already, indeed, the leaders of the popular party had opened communications with some of the Scottish Commissioners, asking them to lay the grievances of their countrymen before the Commons. To this the Commissioners had replied that, as their lives were now at the King's mercy, they could not venture to take such a step, but that if the House of Commons, after reading their printed Declaration, chose to send for them and to inquire into the truth of its allegations, they would be ready to reply to any questions which might be asked. The English leaders, in fact, had accepted this proposal, and had fixed the 7th as the day on which the Scots' Declaration should be discussed. The debate of the 4th, however, changed their plans. After Vane's threatening language it was impossible to doubt that a dissolution was imminent. That evening, therefore, it was resolved that Pym should bring forward the subject as soon as the House met on the following morning. A petition, it would seem, was to be drawn up to beg the King to come to terms with the Scots, and it is probable that the Lords were to be asked to concur in this petition.[1]

Bearing of this demand.

Proposed petition against the war.

[1] Heylyn's statement (*Cyprianus Angl.* 396) that the Commons 'came to a resolution of yielding somewhat towards his Majesty's supply, but in the grant thereof blasted his Majesty's expedition against the Scots,' only puts

Some one who could not be trusted was present at this meeting. That very evening the King received intelligence of Pym's plan of operations. He at once summoned the Privy Council to meet at the unusual hour of six on the following morning. He sent for the Speaker and forbade him to take his place, least the dreaded petition should be voted before he had time to intervene.[1]

The Council summoned.

When the Council met the next morning the King announced his intention of proceeding to a dissolution. Strafford, who arrived late, begged that the question might first be seriously discussed, and that the opinions of the Councillors who were also members of the Lower House might first be heard. Vane declared that there was no hope that the Commons 'would give one penny.' On this the votes were taken. Northumberland and Holland were alone in wishing to avert a dissolution.[2] Supported by the rest of the Council the King hurried to the House of Lords and dissolved Parliament.

May 5. The Council votes for a dissolution.

The Short Parliament, for by that name this assembly is known in history, had sat for three weeks. As far as actual results were concerned it accomplished nothing at all. For all that, its work was as memorable as

End of the Short Parliament.

the intention into positive terms. "Our Parliament," writes a Scotchman in London, "hath yet settled nothing. They are this day about to petition his Majesty to hearken to a reconciliation with you, his subjects in Scotland." Johnstoun to Smith, May 5, *S. P. Dom.* cccclii. 46. A few days later we hear that the members of the dissolved Parliament spoke freely of their disinclination to grant money for a Scottish war, and said that the cause of the Scots was in reality their own. Salvetti's *News-Letter*, May $\frac{8}{18}$. The greater part of what I have stated is drawn from an anonymous deposition and a paper of interrogatories founded on it (*S. P. Dom.* cccclii. 114, 115). We there learn that 'it was otherwise resolved on Monday night that the next morning the book should have been produced, as he conceived, by Mr. Pym, who should have spoken then also in that business.' Mr. Hamilton is to be congratulated on this important discovery, which first appeared in his Calendar for 1640.

[1] "Lest that they should urge him to prefer any petition to the Upper House." *Harl. MSS.* 4931, fol. 49.

[2] Laud's *Works*, iii. 284. Whitaker's *Life of Radcliffe*, 233.

that of any Parliament in our history. It made England conscious of the universality of its displeasure. Falkland, we are told, went back from this Parliament full of dissatisfaction with the Court,[1] and doubtless he did not stand alone. The chorus of complaint sounded louder when it was echoed from Cornwall to Northumberland than when it seemed to be no more than a local outcry. Nor was this Parliament more memorable for the complaints which it uttered than for the remedies which it proposed. The work which it assigned to itself was of no less import than that to which the Long Parliament subsequently addressed itself. Its moderation consisted rather in the temper in which it approached its labours, than in the demands which it made. What it proposed was nothing short of a complete change in the relations between the King and the nation. It announced through the mouth of Pym that Parliament was the soul of the commonwealth, and there were some amongst its members who sought for that soul in the Lower House alone.

Revolution proposed by it.

It was impossible that such a body should long have escaped a dissolution. From the very first the resolution had been taken at Court to break up the Parliament unless it would give its support to the war. When it laid hands upon fleet and army, and seemed likely to give its voice for peace, the moment foreseen in Charles's Council had arrived. It needed all Hyde's bland conviction that contradictory forces were to be reconciled by his own lawyer-like dexterity, to throw the whole blame of the dissolution upon Vane. Oliver St. John understood better what the facts of the case really were, when he said 'that all was well, and that it must be worse before it could be better; and that this Parliament would never have done what was necessary to be done.' St. John knew full well what he wanted. Hyde never knew what he wanted beyond some dream of his own, in which Charles and Laud were to come to a happy compromise with all moderate men, and tyranny and sedition were to be renounced as equally impracticable.

A dissolution unavoidable.

[1] *Clarendon*, vii. 222.

CHAPTER XCII.

PASSIVE RESISTANCE.

STRAFFORD, at least, had no notion of coming to a compromise with a Parliament which was bent on peace with Scotland, and which was determined to place the whole military force of the Crown at its own disposal. The knowledge of Pym's intercourse with the Scots, which he doubtless acquired in the course of the day, changed his longing for conciliation to bitter hostility. The King, he thought, might leave his subjects to provide support for the navy, but he could not safely depend on them for the very existence of an army. If Charles gave way now, a modification of the whole constitution of England would be the result. The English Parliament would claim all the rights which the Scottish Parliament had asserted. The country, he may well have thought, would be handed over to the persuasive rhetoric of factious adventurers. The functions of government would be at an end. He saw all the weak points of the Parliamentary system without seeing any of its strong ones. He had no belief in the possibility that a better organisation might arise out of the chaotic public opinion of his day. The secret of the future, the growth of cabinet government, was a veiled mystery to him as it was to the rest of his generation.

1640. Strafford's view of the situation.

In conversation with his friends, Strafford made no secret of his conviction that the summoning of Parliament had been an experiment to which he indeed had heartily desired success, but that it had been nothing more than an experiment. The King's cause, he said to Conway, 'was very just and lawful, and if the Parliament would not

His conversation with Conway.

supply him, then he was justified before God and man if he sought means to help himself, though it were against their wills.'[1] Much the same language had been used by him to Usher whilst he was still in Ireland. The crisis which he then contemplated had now arrived. It was absolutely necessary for the common safety that the King should ward off the approaching danger from Scotland in spite of the refusal of the House of Commons to support him.[2]

As soon as the King returned to Whitehall, a meeting was held of that Committee of Eight which had been appointed in the preceding winter to take special cognisance of Scottish affairs. Charles asked the advice of this select body on the course which it now behoved him to take. Vane argued, not without support, that to defend England against invasion was all that was now possible.[3] Strafford was too clear-sighted not to perceive at once the hopelessness of such a course. Only a fierce blow, sharp and decisive, would save the King now. England would never bear the long contribution of enforced supplies to an inactive army on the Borders. Let the City, he said, be required to lend 100,000*l.* to the King. Let ship-money be vigorously collected. This would suffice for a short campaign, and it was clearly his opinion that a few months of invasion would bring Scotland to its knees. "Do you invade them," was his closing admonition.[4]

The Committee of Eight.

Vane argues for a war of defence.

Strafford supports an aggressive war.

[1] Rushworth, *Strafford's Trial*, 536. [2] *Ibid.* 535.

[3] This rests on Vane's own evidence. Rushworth, *Straf. Trial*, 546.

[4] I have no hesitation in accepting the form of Vane's notes printed in the *Hist. MSS. Commissioners' Report*, iii. 3, against that given by Whitelocke. All external evidence is in favour of a copy found in the House of Lords, and the internal evidence goes in the same direction. The heading which appears in Whitelocke's copy might easily have been added; but it would be difficult to account for the presence of Northumberland's speech, or the characteristic saying of Strafford's about Saul and David which appears in the House of Lords' copy, but is absent from Whitelocke's, unless the former be genuine. Clarendon's account agrees with neither, and was doubtless given merely from memory, like his account of the debates in the Short Parliament. The existence of a copy amongst the State Papers corresponding with that in the House of Lords is in itself almost

Northumberland took up the word. In the morning he had voted against the dissolution, and he now gave his reasons for wishing the King to hold his hand. He belonged to a class of politicians whom enthusiastic partisans always despise at their peril. He was not in the habit of thinking deeply on any subject, and had taken the command of the army, as he had before taken the command of the fleet, without any strong persuasion of the righteousness of the cause for which he was about to draw his sword. Personally he admired Strafford, and he liked his own position as a great nobleman at Court. He felt no attraction towards the aggressive Puritanism of the Commons; but he had an in

Northumberland's objection.

decisive, as it is hardly to be imagined that both the King and the Peers would content themselves with anything incorrect.

The notion that Vane's paper was stolen, and therefore could not have found its way into the House of Lords, will not bear the test of investigation. According to Lord Bute's MS., Whitelocke states that 'this and all the rest of the papers concerning the charge against the Earl were entrusted to the care and custody of Whitelocke, the chairman of the Close Committee, and being for a time missing at the Committee, and because the Earl answered so fully, some were jealous of Whitelocke that he had let see it, the better to make his defence and to oblige the Earl.' He then goes on to show, not very conclusively, that Digby and not himself was the culprit. As, however, the reply of Strafford referred to was on April 5, and the paper was produced in the Commons on the 10th, it is plain that it cannot have been actually lost at the time referred to, and it is not unlikely that Whitelocke's account of the matter being written down long after the event was not altogether correct. It is at all events distinctly negatived by D'Ewes's *Diary*, from which it appears under the date of April 23 (*Harl. MSS.* 164, fol. 185) that two papers were lost, neither of which was Vane's *Notes*. No one need be surprised that the paper in the House of Lords is in a clerk's hand, as both the original paper and the younger Vane's copy had been previously destroyed. I fancy that Whitelocke's copy was merely one set down from memory by some one who had only heard it read.

It is of course quite a different question whether the notes, granting them to be Vane's, were really trustworthy. Vane had reason to bear hard upon Strafford; but there is something very characteristic in each utterance, and I am ready to accept the paper as substantially correct, though it is impossible to say more than this. Verbally accurate the notes do not even profess to be. The question of the Irish army will be discussed subsequently.

stinctive feeling that to enter on a war without the support of the Commons, was a rash and headlong proceeding, which would probably end in disaster. How, he asked, could they 'make an offensive war' if they had no better means at their disposal than those which Strafford had just recited. They were in a difficulty whether 'to do nothing or to let them alone, or go on with a vigorous war.'

Strafford's reply.

Strafford's fierce, resolute spirit waved the objection haughtily away. "Go on vigorously," he cried, and we can fancy how his eyes flashed as he spoke, "or let them alone." The broken, disjointed notes are all that remain to us. "No defensive war; loss of honour and reputation. The quiet of England will hold out long. You will languish as betwixt Saul and David. Go on with a vigorous war, as you first designed, loose and absolved from all rules of government; being reduced to extreme necessity, everything is to be done that power might admit, and that you are to do. They refusing, you are acquitted towards God and man. You have an army in Ireland you may employ here to reduce this kingdom. Confident as anything under heaven, Scotland shall not hold out five months. One summer well employed will do it. Venture all I had, I would carry it or lose it. Whether a defensive war as impossible as an offensive, or whether to let them alone."

Opinions of Laud and Cottington.

Strafford's vehement words were echoed by Laud and Cottington. "Tried all ways," said the Archbishop, "and refused all ways. By the law of God and man you should have subsistence, and ought to have it, and lawful to take it." Cottington followed with an argument that, as the Scots were certain to enter into leagues with foreign Powers, an attack upon them was in reality 'a defence of this kingdom.' "The Lower House," he added, "are weary both of King and Church.[1] All ways shall be just to raise money for this unavoidable necessity, therefore to be used, being lawful." Strafford again struck in. Commissions of

[1] Ranke (*Eng. Transl.* ii. 196) speaks of this as a mere party statement. It is, however, quite true that the Commons wanted to get rid of kingship, as Charles and Cottington understood kingship.

array were to be put in execution. Those to whom they were issued would be bound to bring the men to the Borders at the charge of the counties. "If any of the Lords," he added, "can show me a better way, let them do it." To this some one feebly answered that the town was 'full of nobility, who' would 'talk of it.' "I will make them smart for it," was Strafford's contemptuous reply.

Was the Irish army to be employed in England?

Eleven months afterwards, when the notes which were taken by Vane of these speeches were laid before the Long Parliament, opinion fixed upon the words relating to the employment of the Irish army in England as the most offensive to English feeling. Strafford then asserted that, as far as his memory served, he had never said anything of the kind; and Northumberland, Hamilton, Juxon, and Cottington, the only witnesses whom it was then possible to produce, gave similar evidence. No such project, they added, had ever been in contemplation.

On the other hand, there is strong reason to believe that the charge did not arise from Vane's hostile imagination, or from more deliberate falsification. The suspicion was certainly abroad only two days after the meeting of the committee. "The King of England," wrote Montreuil, who had been left by Bellievre to act as French agent till the appointment of an ambassador, "thinks of making use of the 10,000 Irishmen as well to bring to terms his English subjects as for the Scottish war."[1] There is at least a strong probability that this language

[1] Montreuil to Bellievre, May $\frac{7}{17}$, *Bibl. Nat.* Fr. 15,995, fol. 84. In the following August Strafford was authorised to command an 'army or armies both to resist and withstand all invasions, tumults, seditions, conspiracies, or attempts that may happen in our kingdoms of England and Ireland, or our Dominion of Wales, to be made against our kingdom, state, safety, crown, or dignity, and also to be led into our kingdom of Scotland.' Strafford's patent, Aug. 3, *Carte MSS.* i. fol. 247. These words, however, as Strafford afterwards stated, were merely copied from Northumberland's patent, which is printed in *Rymer*, xx. 364. The only difference between the parallel passages is the insertion of Ireland as a sphere of action, which would not be fitting in Northumberland's case, and the verbal substitution of the word 'kingdom' for 'person.' Probably this was a set form. I have sought in vain for Arundel's patent given in 1639. It seems never to

was inspired by some knowledge of Strafford's speech in the committee. It is at least certain that in the formal document

have been enrolled. Even the Privy Seal is not to be found at the Record Office. Strafford's argument at his trial that no Irish army was in existence is worthless. There was always a small army, and the new one was to have been ready by May 18.

In Vane's notes the sentence about the quiet of England is followed by: "They refusing," *i.e.* the English, "you are acquitted before God and man;" and it seems to me likely enough that this outburst about the Irish army may have sprung to Strafford's lips at the bare thought of English refusal, though it was not quite in accord with what he had said before. The acquittal before God and man referred to acquittal for conduct towards the English, and the words about the Irish army would naturally also apply to the English. But I wish to be clearly understood as not giving any positive opinion on the matter. Vane's jottings will not bear dogmatism on either side. In fairness to those who accept an interpretation different from my own, I should add an extract from a letter written by Windebank to the King, after his flight in 1641. "I have received a signification of your Majesty's pleasure to declare and testify (upon my allegiance to your Majesty) whether in a debate in Council at a Committee about a defensive and offensive war with the Scots, I do remember that the Lord Lieutenant of Ireland did say to your Majesty that, having tried the affections of your people, you were absolved from all rules of government, and were to do everything that power would admit, since your subjects had denied to supply you, and that in so doing you should be acquitted both of God and man, and that your Majesty had an army in Ireland, which you might employ to reduce this kingdom to obedience; to which, upon my allegiance to your Majesty, I do most humbly make this direct, clear, and true answer (which your Majesty may well remember) of that which passed in debate from time to time in Council at the Committee about a defensive and offensive war with the Scots, I do not remember that my Lord Lieutenant of Ireland did say to your Majesty the words above mentioned, or any other to that purpose, being confident that in a business so remarkable, and of so great moment, I could not but have remembered them if they had been spoken. And, further, I do not remember that ever I so much as heard the least speech that the army in Ireland was to be employed to reduce the kingdom of England to obedience; and either I misunderstood the sense of the Committee from time to time, or else the consultations of the Committee concerning the disposing and employing of the Irish army did ever bend wholly another way." Windebank to the King, May 16, 1641, *S. P. Dom*

This letter, like the evidence of the other members of the Committee given at the trial, asserts far more than the mere transference of the pro-

in which the command of the Irish army was subsequently conferred upon Strafford, the contingency of its employment against rebellion in England was specially provided for.

Strafford probably had formed no determinate plan.

Yet in spite of this, it may be reasonably doubted whether any deliberate purpose of preparing for an Irish occupation of England was ever entertained. Not only does no trace remain of any counsels, save those already mentioned, in which such a design formed a part, but everything that we learn of Strafford and Charles induces us to believe that neither of them had any real expectation that such a course would be necessary. To the end Strafford underrated the forces opposed to him. He believed that, apart from the ambition of the House of Commons, the real England was on his side, and would rally round him as soon as it learnt how grossly deluded it had been. With these

posed employment of the Irish army from England to Scotland. It asserts that the writer had no recollection of the whole passage which preceded the words about Ireland. Is his inability to recollect all this to make us give up Vane's notes altogether? The passage quoted from Montreuil shows at least that the proposal of an attack from Ireland was talked of at this time. But, leaving this out of the question, it is impossible not to lay weight on the fact that Charles saw the notes before the meeting of the Long Parliament. The elder Vane stated in the House of Commons, April 12, 1641, according to D'Ewes, that Charles had sent for these notes and had ordered them to be burnt. According to the *Verney Notes* (37), Vane said that he had himself 'moved the King to burn the papers, and the King consented to it.' Whichever of these two accounts is right, it is clear that Vane spoke of the King's knowledge of the notes as something beyond question. And it is also certain that, as far as we know, Charles never denied the statement. This would imply that they really were taken at the time, for the King's use. Private notes, forged in order to be subsequently flung at Strafford, would not come to the knowledge of the King. Is it not incredible that the whole of the passage from the assertion that the King was loose and absolved from all rules of government down to the sentence about Ireland, should have been put in without ground, when Vane must have known that the King might call for the notes at any moment? Verbal inaccuracies there must have been, and perhaps misapprehension of the drift of a sentence, but surely not the pure invention of whole sentences. Yet that is what the argument from the want of memory of the members of the Committee really comes to.

feelings he was not likely to plan an Irish invasion of England. But it does not follow that he did not contemplate it as a distant possibility. Pushed hard in the discussion in the committee to justify his confidence, he might fall back upon the forces in Ireland as a convincing proof that alarm was needless, just as he would have the clause relating to England inserted in his patent in order to provide for all eventualities, without expecting those eventualities to occur.

Even Vane's paper of notes conveys the impression that the thought of employing this Irish army for the repression of resistance in England did not enter largely into Strafford's plans. His words point to no knot worthy of such a solution. He had been arguing that the Scots would be overpowered in a single campaign, and that the quiet of England would hold out long. It was only as the refusal of the Commons presented itself to his thoughts that he flashed out into threats of this last resource. Nor is it likely that he at all understood what his countrymen would think of such a threat. To him the thought of an Irish army conveyed no impression which was not satisfactory. The small force which was already in existence was distinguished for its discipline and good behaviour. He had every reason to believe that the larger force which he now contemplated would be distinguished by the same qualities. He did not realise the feeling of horror which the very notion of an Irish army conveyed to the mass of Englishmen. Pride of race and pride of religion combined in regarding the mere suggestion of the introduction of such a force as a deadly insult. The English people resented it as the Americans resented the employment of Indians against them in 1776, and as the Germans resented the employment of Turcos against them in 1870. To bring over Irishmen to crush their liberties was in their eyes to let loose a horde of pitiless Popish savages upon the sober Protestant, God-fearing population of England. To have planned such an atrocity was sufficient to exclude the contriver from the courtesies of civilised existence.

Strafford's view of an Irish army.

The popular view.

That the suggestion of bringing over the Irish army, when once it came to be known, added bitter intensity to the feeling

of hatred with which Strafford was now beginning to be regarded, is beyond dispute. That hatred dates from the day of the dissolution of the Short Parliament. From thenceforth the name of Strafford, of black Tom Tyrant, as he was sometimes called, was coupled with that of Laud in the popular imagination, as the bulwark of arbitrary and despotic government.

Position taken by Strafford.

The popular imagination was in the main right. No doubt Strafford would have rejected the charge. It was the Commons, he thought, who had failed to do their duty. The case was one in which, as he afterwards expressed it, the King might 'use as the common parent of the country what power God Almighty hath given him for preserving himself and his people, for whom he is accountable to Almighty God.' This power, he then added, could not 'be taken from him by others; neither, under favour, is he able to take it from himself.'[1] Somewhere or another in every constitution a power must be lodged of providing for extreme necessities, irrespective of the bonds of positive law, and this power had, at least for some generations, been lodged in the Crown. What Strafford failed to see was that the King had brought that power into contempt by constantly using it to provide for necessities which were not extreme. Men were slow to believe that a special emergency existed when that emergency had been appealed to to justify an unparliamentary government of eleven years. Strafford was undoubtedly in earnest in desiring to put an end to this evil system. If he had no wish to anticipate the constitution of the eighteenth century, he at least wished to bring back the constitution of the sixteenth. It was precisely this which he was powerless to do. If his master had returned victorious from the Northern war at the head of a devoted army, no result but the establishment of a military despotism would have been possible for him. Against this the great national party, with Pym at its head, now numbering the vast majority of educated Englishmen, raised its voice. They were no reformers, no followers of new ideas, by which the lives of men might be

[1] Rushworth, *Strafford's Trial*, 559.

made brighter and happier than of old. They wished to worship as their fathers had worshipped, to believe as their fathers had believed, and to live as their fathers had lived. They did not wish to be harassed by constant changes, of which they did not understand the import, and of which they mistrusted the tendency. To them Parliaments were not an instrument of improvement, but an instrument to avert unpopular alterations. Parliamentary supremacy would give full expression to the inertia which appeared to Strafford to be the most dangerous quality of human society. To him, the active-minded reformer, impatient of restraint, the very thought of Parliamentary supremacy was abominable. He did not, could not, rise up into the knowledge that acceptance of the limitations imposed by the national temper was the only condition under which permanent reforms could ever be accomplished. He did not even acknowledge to himself that the national temper was truly reflected in the Parliament which had been so recently dissolved.

That temper could not but have a wider scope than Strafford's personal weal or woe. With each year the estrangement between Charles and the nation had been growing wider. The suspicion that he and his advisers were tampering with the Catholic emissaries had rooted itself deeply in the minds of his subjects. The dissolution of the Short Parliament had proved that it was hopeless to expect him to return to constitutional ways; while Strafford's appeal to the Irish Catholics in the Parliament at Dublin seemed to place beyond doubt—especially as it was followed by preparations for gathering an Irish army—that Charles meant to rely on the Catholics for aid; and it did not need the rumour which bruited abroad the language used by Strafford in the Council-chamber, to convince men that if Scotland were subdued by the help of Irish Catholics, England's turn would come next.

The King endangered by the suspicion of an Irish invasion.

Charles had found it impossible to rouse the House of Commons against the Scots, and he would find it equally impossible to rouse the English nation against them. The memory of the old national wars had died away,

The Scots not hated.

and the personal union of the kingdoms had prevented the two nations from coming into angry collision with one another. What was known of the Scots was in English eyes to their advantage. They were certainly enemies of Laud and of the Pope, whilst thousands in England who were not Puritans, were violent enemies of Laud, and still more violent enemies of the Pope. Once more, and more fatally than ever before, Charles had misunderstood the currents of opinion with the help of which he would have to direct his course.

May 5. Strafford and Pym.

On May 5 two systems of government entered upon the final struggle for supremacy in England. Each of these systems had its own representative leader. The voice of Pym was silenced for a time. It was for Strafford to do what in him lay to encourage his fainting allies, to stand forward as the saviour of monarchical government in its hour of trial.

The King's Declaration.

At once a Declaration was issued in the King's name for general circulation. Subjects were reminded that of old time it had been held to be the duty of Parliaments to support their kings in time of war—not to abuse their power of control over supplies to extort the surrender of the rightful prerogatives of sovereigns.[1] Orders were also issued to the lords-lieutenants to postpone the departure of the new levies till June 10, so as to gain a little time for financial preparation.[2] The studies of Lords Saye and Brooke, of Pym, Hampden, and Erle, were searched, doubtless in the belief that evidence would be secured of criminal intelligence with the Scots. No compromising matter was discovered, and no further proceeding was taken. Three other members did not escape so easily. Crew, the Chairman of the Committee on Religion, was sent to the Tower for refusing to deliver up the petitions entrusted to his charge. Sir John Hotham and Henry Bellasys were questioned about their speeches on the military charges. Both declared that they neither 'could nor would remember' words which they had spoken in Parliament. Both were

Measures of the Government.

May 8. Members of Parliament in prison.

[1] *Rushworth*, iii. 1160. [2] *Ibid.* iii. 1170.

committed to prison on the ground that they had given undutiful answers to the Council; and in this way, at least the appearance of an attack on the privileges of Parliament was avoided.

Ship-money and coat-and-conduct money enforced.

The Council then turned its attention to the financial difficulties of the Crown. Sheriffs, who had been remiss in the collection of ship-money, were subjected to stern questioning by the Attorney-General, and orders were sent to the deputy-lieutenants to see that coat-and-conduct money was duly paid.[1]

May 7. Lord Mayor and aldermen required to lend.

On the 7th the Lord Mayor and aldermen were summoned before the Council. The King told them that he expected from them a loan of 200,000*l.* If they did not provide the money, 'he would have 300,000*l.* of the City.' They were to return on the 10th with a list of such persons in their several wards as they believed to be capable of bearing their part of the loan, rated according to their means.

May 10. Strafford's threats.

On the appointed day they came without the list. Strafford lost his temper. "Sir," he said to the King, "you will never do good to these citizens of London till you have made examples of some of the aldermen. Unless you hang up some of them, you will do no good with them."[2] The King ordered the Lord Mayor, Garway, to resign his sword and collar of office; and though, at the intercession of the bystanders, he relented and restored them, he committed to prison four of the aldermen—Soames, Rainton, Geere, and Adkins—who had been specially firm in their refusal. One of them, Alderman Soames, gave particular offence. "I was held an honest man whilst I was a commoner," he told the King to his face, "and I would continue to be so now I am an alderman." The other aldermen professed their readiness to give in the names of the richer citizens, though they objected to rate them according to their means.[3]

Imprisonment of four aldermen.

[1] *Rushworth*, iii. 1,167. Rossingham's *News-Letter*, May 12, *S. P. Dom.* ccccliii. 24. Rossetti to Barberini, May $\frac{8}{18}$, *R. O. Transcripts.*

[2] Rushworth, *Strafford's Trial*, 586.

[3] Salvetti's *News-Letter*, May $\frac{5}{15}$. *Council Register*, May 10. Rossing-

From the London citizens Strafford turned to the Spanish Court. He had always supported an alliance with Spain, and the recent occurrence in the Downs had strengthened him in his desire to break the maritime superiority of the Dutch. For the present, however, the conflict for empire must be waged in Scotland, and it was to gain the money rather than the fleets of Spain that his efforts were directed. There were now no less than three Spanish ambassadors in England. The Marquis of Velada and the Marquis Virgilio Malvezzi [1] had come to the assistance of Cardenas, who, though he had been re-admitted to his right of audience, was in no good odour at the English Court. So great a diplomatic display was regarded by Charles as a sign that the new ambassadors were instructed to accept the proposals of marriage of which he had communicated hints to Olivares a few months before.[2] On this point, however, the ambassadors remained obstinately silent. They declared that the object of their mission was solely to treat of a league against the Dutch. Before the dissolution, commissioners, of whom Strafford was the leading spirit, had been appointed to negotiate with them on this subject. At once it appeared that there was a radical difference of opinion between the two parties. The Spaniards insisted that, by accepting the secret treaty of 1630, the English Government should bind itself to an open rupture with the States-General, with a view to the ultimate partition of the territory of the republic. The English diplomatists preferred to start from Necolalde's articles of 1634, which would not involve an avowed breach with the Dutch.

Strafford and the Spanish alliance.

Spanish ambassadors in England.

Negotiation on the proposed alliance.

Under ordinary circumstances this radical difference of opinion would probably have brought the negotiation to an end. On May 10, however, the day of the imprisonment of

ham's *News-Letter*, May 12, *S. P. Dom.* ccccliii. 24. Rossetti to Barberini, May $\frac{15}{25}$, *R. O. Transcripts.*

[1] This visit explains Milton's reference to him as 'their Malvezzi, that can cut Tacitus into slivers and steaks.' *Ref. of Church Gov.* Malvezzi must have been a well-known personage in London.

[2] See page 89.

the aldermen, Strafford discovered the improbability that he would succeed in obtaining any considerable sum of money from the City. The next morning he visited the ambassadors in person. His master, he told them, was indeed ready, as soon as it was in his power, to join them in that league against the Dutch which was the object of their wishes; but it was not in his power to do so as long as Scotland was unconquered. To conquer Scotland a large sum of money was needed. Why should not the King of Spain lend 300,000*l.* for that purpose? As soon as Scotland was subdued war should be declared against the Dutch. Even for the present the English fleet could be used in conveying supplies to Flanders, and in protecting Dunkirk against a siege. Permission, too, would be given for the levy of 3,000 Irishmen for the Spanish service. The King of Spain should have ample security for the repayment of the loan, and, even if that failed, Philip might easily recompense himself by the seizure of the property of English merchants whose vessels happened at the time to be in Spanish harbours.[1]

May 11. Strafford asks for a loan from Spain.

The end of his tragic struggle against the world must have been drawing very near before even Strafford could have ventured on so audacious a proposal. The days which followed must have been for him the saddest in his life—far sadder than those in which, after the lapse of a year, he stood proudly conscious of the rectitude of his cause on the scaffold on Tower Hill. In vain was the iron will and the ready wit given him if he could not breathe his own hardihood into the breast of the man without whom he was as powerless as an infant. In the very crisis of the struggle Charles hesitated and drew back. Strafford stood alone as the champion of the cause of monarchy.

Hesitation of Charles.

It was not entirely without reason that Charles was terrified. On the 6th papers were posted up calling on the apprentices to

[1] Windebank to Hopton, May 11, *Clar. S. P.* ii. 83. Velada to the Cardinal Infant, April $\frac{18}{28}$, May $\frac{2,\ 8}{12,\ 18}$. Velada to Philip IV., May $\frac{11,\ 13,}{21,\ 23,}$ $\frac{15,\ 16}{25,\ 26}$, *Brussels MSS.* Secr. d'Etat Esp. cclxxxiv. fol. 153, 201, 214, 248, 258, 268, 276.

join in hunting 'William the Fox' for breaking the Parliament.[1]

May 6. Placards against Laud.

Three days later a placard was placed up in the Exchange inviting all who were faithful to the City, and lovers of liberty and the commonwealth, to assemble in St. George's Fields in Southwark, on the early morning of the 11th. Warned in time, the Council ordered that St. George's Fields should be occupied on the 11th by the Southwark trained bands.[2] The apprentices were not so easily baffled. They waited quietly till the trained bands had retired in the evening. A little before midnight a mob of some five hundred persons, for the most part journeymen and apprentices, answered to the summons. In this class the general dislike of Laud was sharpened by its own special grievances against the new monopolies.[3] With a drum beating in front, the rabble took its way to Lambeth. Laud, warned in time, had placed his house in a state of defence, and had crossed the river to Whitehall for safety.[4] The rioters, finding that their prey had escaped them, retired with threats of returning to burn down the house. Next morning the Council gave directions that watch should be kept by night as well as by day, and that the trained bands of Middlesex and Surrey should be called in to help in preserving order. Several persons were arrested on suspicion. Insulting placards continued to be posted in the streets, threatening an attack on the apartments of the Queen's mother at St. James's, and calling on the mob to pull down her chapel and do what mischief they could to her priests. Others urged that Laud should be dragged out of Whitehall and murdered. One went so far as to announce that the King's palace was to let. Nor were these tumults confined to the mob alone. At Aylesbury some soldiers mutinied against their officers, and twenty-two houses were burnt down before the disturbance was quelled. In Kent the yeomen and farmers who had been pressed declared that they were not bound to go beyond the limits of their county, and left

May 11. Riots at Lambeth.

May 12.

Insulting placards.

May 12.

[1] Laud's *Works*, iii. 284.

[2] *Rushworth*, iii. 1173.

[3] Joachimi to the States General, May $\frac{21}{31}$, *Add. MSS.* 17,677 Q, fol. 190.

[4] Laud's *Works*, iii. 284.

the ranks in a body. On the night of the 14th the Court was startled by a fresh outrage. The prisons in which the rioters were confined were broken open by a mob, and the prisoners were set at liberty. It was plain that something must be done, if the country was not to lapse into anarchy. Orders were given to the deputy-lieutenants and the justices of the peace of several counties who happened to be in London, to return home to preserve order. Doubts, however, were freely expressed whether the guardians of the peace could be depended on. It was said that they had been sent from London to keep them from the temptation of imitating the Covenanting Tables. The support of the lower ranks was still more doubtful. The recent imprisonment of the aldermen had been felt by the City as an insult. The freeholders and farmers of Middlesex and Surrey had no love for Laud. They were heard to mutter that, if they must fight, they would rather fight against the Government than for it. The defence of the Queen's mother was especially distasteful. It was known that she had urged her daughter to use her influence with the King during the sitting of the late Parliament, and it was taken for granted that this influence had been used to hasten the dissolution. For the first time in the reign the name of Henrietta Maria herself was drawn into the political conflict.[1] It could not well be otherwise. It had been so natural for her to take the part of her husband's Roman Catholic subjects; so natural, too, for her to urge their cause in contemptuous disregard of a public opinion of which she neither understood the meaning nor estimated the weight. Yet, when all allowance has been made for the ignorance of a woman and a foreigner, it is difficult to speak with patience of the rash act of which Henrietta Maria, if not Charles himself, was now guilty. At the height

May 14. General insecurity.

The Queen asks the Pope for aid.

[1] Laud's Diary, *Works*, iii. 235. *Rushworth*, iii. 1173. Rossetti to Barberini, May $\frac{15}{25}$, *R. O. Transcripts*. Salvetti's *News-Letter*, May $\frac{15}{25}$. Giustinian to the Doge, May $\frac{15}{25}$, *Ven. Transcripts*. Rossingham's *News-Letter*, May 19, *Sloane MSS.* 1,467, fol. 198. Deputy-Lieutenants of Kent to the Council, May 11, *S. P. Dom.* ccccliii. 11.

of the alarm Windebank appeared before Rossetti, conjuring him to write to Rome for help in money and men. The Pope, it was probably thought, would be ready to assist the King, especially as the subjects who now endangered his throne were always ready to clamour for the persecution of the Catholics, whilst Charles had extended to them some measure of protection.[1]

Whilst overtures so ruinous were being made to Rome, voices were raised at Whitehall in condemnation of Strafford. Why, it was asked, had he brought things to such a pass without sufficient forces at his disposal to compel submission.[2] The attack on the prisons brought matters to a crisis. Six thousand foot were ordered up from the trained bands of Essex, Kent, and Hertfordshire. It was impossible to fall back thus on popular support without conceding something to the popular agitation. On the 15th, the day after the attack on the prisons, Hotham and Bellasys, together with the four aldermen, were set at liberty, though the latter were required to enter into bond to appear in the Star Chamber when called on. The next day, when the Lord Mayor and aldermen repeated their refusal to rate any man to the loan, they were sent away without further reproaches. On the 17th the sheriffs of London were ordered to make a bonfire of a large number of Roman Catholic

Strafford blamed.

May 15. Fresh precautions.

Concessions made.

May 16. The loan not pressed.

[1] Rossetti's letter of May $\frac{15}{25}$ is not to be found amongst the Record Office Transcripts, but its purport is clear from Barberini's reply of June $\frac{20}{30}$, and from Rossetti's answer to Barberini of Aug. $\frac{20}{30}$. Windebank is directly stated to have made the overture. It is impossible that he should have done so without orders from the Queen or the King. That the Queen knew of this seems made out by the fact that Rossetti as a matter of course communicated Barberini's reply to her, and also by the part she subsequently took in pressing for similar help in the course of 1641. On the other hand, the long conversation with Windebank, related in the last-named letter, turns so entirely on the King's proceedings, that it seems very likely that the secretary was originally commissioned by him. Indeed, if the Queen had opened the negotiation without her husband's knowledge she would hardly have employed a Secretary of State.

[2] Montreuil's despatch, May $\frac{14}{24}$, *Bibl. Nat.* Fr. 15,995, fol. 87.

books which had recently been seized. Even a party of young lawyers, who had drunk confusion to the Archbishop, were dismissed by the Council on the plea, suggested to them by Dorset, that they had been really drinking confusion to the Archbishop's foes. There was even talk of taking up again the dropped negotiation with Scotland. With the exception of Loudoun, the Scottish commissioners were set at liberty.[1] Traquair was asked whether he would undertake a mission to Edinburgh to preside over the Parliament which was to meet in June. On his refusal, Hamilton was requested to go. The King, however, proposed to delay Hamilton's journey, and to prorogue the Scottish Parliament for another month, on the characteristic ground that by the middle of July he would know whether he was to have a loan from Spain which would enable him to make war on Scotland.[2]

May 17. Roman Catholic books burnt.

Proposed negotiation with Scotland.

Such was the end of Charles's first attempt to do all that power would admit. Though a list of names of those qualified to lend was sent in by the aldermen, the project of forcing a loan from the London citizens was tacitly abandoned. Efforts would still be made to enforce the payment of ship-money and coat-and-conduct money; but even if ship-money and coat-and-conduct money were collected with more regularity than was likely to be the case they would not pay the army in the field. By pressure upon official persons the loan which had been begun with the Privy Councillors was raised by May 15 to 232,530*l.*[3] But this sum had been already spent, and except in the very unlikely case of a loan from Spain no way appeared to meet the necessities of war. The feeling with which Strafford's violence was regarded by loyal but un-

Abandonment of Strafford's policy.

[1] Montreuil's despatch, May $\frac{21}{31}$, *Bib. Nat.* Fr. 15,995, fol. 87. *Ibid.* fol. 89. Giustinian to the Doge, $\frac{\text{May } 22}{\text{June } 1}$, *Ven. Transcripts. Council Register*, May 15. *Rushworth*, iii. 1180.

[2] Montreuil's despatches, May $\frac{21, \text{ May } 28}{31, \text{ June } 7}$, *Bibl. Nat.* Fr. 15,995, fol. 89, 91. Giustinian to the Doge, $\frac{\text{May } 22}{\text{June } 1}$, *Ven. Transcripts.* Rossingham's *News-Letter*, May 26, *Sloane MSS.* 1,467, fol. 112 b.

[3] Account of the Loan, *S. P. Dom.* ccccliii. 14.

enthusiastic subjects was well expressed by Northumberland. "The nature of most men," he wrote to Conway, who had already been sent to drill the cavalry in the North, "is not willingly to acknowledge an error until they needs must, which is some of our condition here at this time. We have engaged the King in an expensive occasion, without any certain ways to maintain it; all those that are proposed to ourselves have hitherto failed, and though our designs of raising this great army are likely to fail, yet are we loth to publish that which cannot many days be concealed. In plain terms I have little hope to see you in the North this year, which I profess I am extremely sorry for, conceiving it will be dishonourable to the King, and infamous for us that have the honour to be his ministers, when it shall be known that he shall be obliged to give over the design."[1]

May 18. Northumberland's letter to Conway.

Strafford was no longer at hand to inspire courage into the fainting hearts at Whitehall. For some days he had been absent from the Council table, suffering from an attack of dysentery. On the first news of the tumults, Bristol had sought him out, and had urged him to give his voice for another Parliament. To the calm, good sense of Bristol, the policy of adventure into which the King had been drawn seemed devoid of all the higher elements of statesmanship. When, some months later, Bristol gave an account of his conversation with Strafford on this occasion,[2] he stated 'that he never understood by the discourse of the Earl of Strafford that the King should use any force or power of arms, but only some strict and severe course in raising money by extraordinary ways for his supplies in the present danger.' To Bristol's plea for another Parliament Strafford was entirely deaf. He did not indeed show any 'dislike of the said discourse, but said he held it not counsellable at that time, neither did the present danger of the kingdom, which was not imaginary, but real and pressing, admit of so slow and uncertain remedies; that the Parliament, in this great distress of the King and kingdom,

Strafford's conversation with Bristol.

[1] Northumberland to Conway, May 18, *S. P. Dom.*

[2] The date is fixed as being not long after the dissolution, and also by the reference to the Lambeth tumults and the mutinies of the soldiers.

had refused to supply the King by the ordinary and usual ways, and, therefore, the King must provide for the safety of the kingdom by such ways as he should hold fit, and this examinant remembereth the said Earl of Strafford used this sentence, *Salus reipublicæ suprema lex.* This examinant likewise thinketh that at the same time the said Earl of Strafford used some words to this purpose, that the King was not to suffer himself to be mastered by the frowardness, or undutifulness of the people, or rather, he conceived, by the disaffection of some particular men.' Bristol proceeded to depose that, according to the best of his memory, Strafford added, 'that when the King should see himself master of his affairs, and that it should be seen that he wanted not power to go through with his designs —as he hoped he would not do—then he conceived that' it would be advisable to call a Parliament 'and nobody should contribute more than himself to all moderate counsels.'[1]

When these words of high courage, worthy of a better cause, were uttered, Strafford's health was already giving way. The violence of the disease was doubtless aggravated by all that was passing around him. The scowling discontent of the gentry, the suppressed hatred of the London citizens, the growing detestation of the populace, which coupled his name at last with that of Laud in its anger, might have been met calmly and defiantly, if the assailed minister had been sure of support from his Sovereign. Strafford knew that his adversaries were not inactive; that Holland, and Pembroke, and Dorset were sounding his faults in Charles's ear;[2] that Privy Councillors, in spite of their oath of secrecy, had betrayed to members of the House of Commons the resolution taken to dissolve Parliament some days before it was publicly announced;[3] and that the secret of his negotiation with Spain had been no better kept.[4]

Strafford's unpopularity.

His secrets divulged.

[1] Bristol's Deposition, Jan. 14, 1641, *Sherborne MSS.*

[2] Montreuil's despatch, May $\frac{21}{31}$, *Bibl. Nat.* Fr. 1,599, fol. 89.

[3] Form of Oath, May 27, *S. P. Dom.* ccccIv. 11.

[4] Salvetti's *News-Letter*, May $\frac{8,\ 15}{18,\ 25}$. The security offered on the merchants' goods, however, seems to have remained a secret.

The strain was too great for the weakly body in which that will of iron was enshrined. In Ireland, during his last visit, he had been racked by gout and dysentery. On his return he had been borne to London in a litter. When he found himself once more at the centre of affairs, he had shaken off his weakness. He had stepped without an effort into a commanding position in the Council. He had organised the House of Lords in resistance to the Commons. Then, when the dissolution came, it was he who had taken the lead in the high-handed compulsion which was to gather up the resources of an unwilling nation to be used for purposes in which it took no pleasure. A week after the dissolution the excitement of the conflict had told upon him, and he was again suffering. Then came the bitter disappointment of failure. On the 15th, the day on which the aldermen were released, he was forced to receive the Spanish ambassadors in bed.[1] Two or three days later, his life was in imminent danger. In some few the knowledge called forth expressions of bitter sorrow. One royalist poet, ignorant of what another year was to bring forth, called upon him to live, not for his own sake, but for the sake of his country.[2] His personal friends were broken-hearted with grief. Wandesford, left behind as Lord Deputy to rule Ireland in his name, passed on the bitter tidings to Ormond. "The truth is," he wrote, "I am not master of myself, therefore I cannot enlarge myself much. If you did not love this man well of whom I speak, I would not write thus much." Then came days on which hope returned, and on the 24th the King visited him, to congratulate him on his convalescence. In the presence of the king, Strafford had no eyes for the vacillation of the man. To him Charles was still what Elizabeth had been to her subjects, the living personification of government, at a time when government was sorely needed. True to his cere-

His health gives way.

May 24. His convalescence.

[1] Velada to Philip IV., May $\frac{15}{25}$, *Brussels MSS.* Sec. d'Etat Esp. cclxxxiv. 258.

[2] This curious poem, probably the work of Cartwright, has recently been printed in the *Camden Miscellany*, vol. viii., from the MS. in the library of Corpus Christi College, Oxford.

monious loyalty, the convalescent threw off his warm gown to receive his Sovereign in befitting guise. His imprudence went near to cost him his life. Struck down again by the chill, it was only after a week, in which the physicians despaired of recovery, that hope could again be spoken of to his friends. It was not thus that he was to pass from this world of toil, of error, and of sin.[1]

Before Charles visited Strafford, he had already repented of his hesitation. The forces which he had called to his aid had been sufficient to prevent any repetition of the tumults. On the 20th it was resolved in Council that the proposed negotiation with Scotland should be abandoned. A violent attack written by Baillie, against Laud and his system,[2] which had just reached the King's hand, made him more than ever averse to an accommodation. But the difficulty of finding means to conduct the war was as insuperable as ever. By the end of the month the amount of ship-money collected barely exceeded 20,000*l.*, less than one-tenth of the sum required,[3] and every letter to the Privy Council from the country carried news of the impossibility of obtaining more. Constables refused to assess, and even when this difficulty had been surmounted those who were assessed refused to pay. If distresses were taken, the articles seized were either rescued by violence, or were left on the hands of the officers because no one would buy them. In many parts of the country the levy of coat-and-conduct money was equally unpopular. Sometimes it was directly denounced as illegal, and where this was not the case, payment was refused on the score of poverty.

May 20. The war with Scotland persisted in.

Difficulty of collecting ship-money,

and coat-and-conduct money.

Against this spirit of insubordination, the Council which met on the 20th took such measures as were in its power. A special committee was formed to watch over the enforcement

[1] Wandesford to Ormond, May 26, 29, June 4, 7, *Carte MSS.* i. 197, 199, 200, 203.

[2] *Ladensium αὐτοκατάκρισις*, an answer to *Lysimachus Nicanor*, by whom the Covenanters were charged with Jesuitry. Rossingham's *News-Letter*, May 26, *Sloane MSS.* 1,467, fol. 112 b.

[3] Account of ship money, May 30, *S. P. Dom.* ccccIv. 92.

of ship-money,[1] and orders were given to prosecute in the Star Chamber those amongst the sheriffs who were held to have been more than ordinarily remiss. Equal severity was to be used to gather in coat-and-conduct money; and five deputy-lieutenants of Hertfordshire, who had expressed themselves doubtfully as to the legality of the imposition, were summoned before the Board.[2] How much remained to be done may be gathered from the fact that, out of 2,600*l.* demanded from Buckinghamshire, only 8*l.* 10*s.* had been collected; and, though this was an extreme instance, other counties were not far in advance.[3]

Measures of the Council.

The day after these resolutions were taken, one of the leaders of the Southwark tumults was tried before a special commission. The judges laid it down that the disturbances amounted to high treason, and supported their decision by a precedent from the reign of Elizabeth. The prisoner, a poor sailor, was therefore sentenced to be quartered, as well as hung, and the sentence was carried into execution at Southwark, though the authorities mercifully allowed him to hang till he was dead, before the hangman's knife was thrust into his body.

May 21. The riots declared treasonable.

May 23. Execution of a rioter.

John Archer was less fortunate. His part had been to beat the drum in advance of the crowd which marched to the attack upon Lambeth. A glover by trade, he had been pressed into the King's service to go with the army as a drummer, and, for some reason or other, it was supposed that he could give information against persons in high position, who were believed to have instigated these tumults. Orders were accordingly given to put him to the torture. The last attempt ever made in England to enforce confession by the rack was as useless as it was barbarous. Archer probably had nothing to disclose, and he was executed without making any revelation.[4]

May 21. Torture and execution of Archer.

[1] *Rushworth*, iii. 1184.

[2] Rossingham's *News-Letter*, May 26, *Sloane MSS.* 1,467, fol. 112 b.

[3] Crane to Crane, May 29, *Tanner MSS.* lxv. 78.

[4] Warrant to torture Archer, May 21, *S. P. Dom.* ccccliv. 39. Jar-

These stern measures were not without effect. For some time extraordinary precautions were needed. On the 27th a placard was fixed up in four places in the City, calling on the defenders of the purity of the Gospel to kill Rossetti. The King was insulted even within the walls of his palace. Some one scratched with a diamond on a window at Whitehall: "God save the King, confound the Queen and her children, and give us the Palsgrave to reign in this kingdom."[1] Charles dashed the glass into fragments with his hand. There was, however, no further disturbance in the streets, and after some little time the trained bands summoned to the aid of the Government were sent home or countermanded, and the capital resumed its usual appearance.

The excitement dies out.

During these days of disturbance, Convocation had been busily at work, in spite of the dissolution of Parliament. It was none of Laud's doing. The Archbishop shared the general opinion, that the end of the Parliament brought with it the end of the Convocation, and applied to the King for a writ to dismiss the ecclesiastical assembly. To his surprise, the King answered that he wished to have the grant of subsidies completed, and that the canons, the discussion of which had been begun, should be finally adopted. He had spoken to Finch, and Finch had assured him that the continuance of a session of Convocation after the dissolution of Parliament was not prohibited by law. Laud expostulated in vain. He was irritated that the King had conferred with the Lord Keeper rather than with himself, in a matter which concerned the Church, and he had reason to fear that the proceeding would not be so well approved of by public opinion as it was by Finch. When the King's mind was made known in Convocation, some members of the Lower House expressed doubts of the legality of the course pursued, and Charles laid the question formally before

May 9. Convocation continues sitting.

May 13.

dine's *Reading on the Use of Torture*, 57, 108. Rossingham's *News-Letter*, May 26, *Sloane MSS.* 1,467, fol. 112 b.

[1] I retranslate from Rossetti's Italian. Rossetti to Barberini, $\frac{\text{May 29,}}{\text{June 8,}}$ *R. O. Transcripts.*

a committee of lawyers for their opinion.[1] The opinion of the lawyers coincided with that of Finch, and on the 15th, the day on which the King was giving in on everything else, it was announced to the two Houses that they were to meet on the next day for business.

May 14. The lawyers pronounce it legal.

May 15.

On the 16th Convocation took into consideration a precedent of 1587, when their predecessors had granted a benevolence to Elizabeth in addition to the subsidy which had received Parliamentary confirmation.[2] They, therefore, renewed their grant of 20,000*l.* a year for six years, only, instead of calling it a subsidy, they called it a benevolence, or free contribution.

May 16. Six subsidies granted as a benevolence.

Having thus expressed their loyalty, the Laudian clergy published, in seventeen new canons, their manifesto to a disloyal generation. Those canons, indeed, were not wanting in that reasonableness which has ever been the special characteristic of the English Church. They do not simply fulminate anathemas. They condescend to explain difficulties, and to invite charitable construction. The canon relating to the ceremonies began with a declaration that it was 'generally to be wished that unity of faith were accompanied with uniformity of practice . . . chiefly for the avoiding of groundless suspicions of those who are weak, and the malicious aspersions of the professed enemies of our religion.' It went on to say that the position of the communion-table was 'in its own nature indifferent,' but that the place at the east end being authorised by Queen Elizabeth, it was fit that all churches 'should conform themselves in this particular to the example of the cathedral or mother churches, saving always the general liberty left to the bishop by the law during the time of the administration

The new canons agreed on.

The canons on the ceremonies.

[1] The committee consisted of Finch, Manchester, Chief Justices Bramston and Lyttelton, Attorney-General Bankes, and Sergeants Whitfield and Heath.

[2] *Nalson*, i. 365. Laud's *Works*, iii. 285. Strype's *Life of Whitgift*, i. 497, iii. 196. Parliament was still sitting when the grant by convocation was made in 1587.

of the holy communion.' This situation of the holy table did not imply that 'it is or ought to be esteemed a true and proper altar, wherein Christ is again really sacrificed; but it is, and may be called, an altar by us, in that sense in which the primitive Church called it an altar, and in no other.'

As this table had been irreverently treated, it was to be surrounded with rails to avoid profanation, and, for the same reason, it was fitting that communicants should receive at the table, and not in their seats. Lastly, the custom of doing reverence and obeisance upon entering and quitting the church was highly recommended, though in this the rule of charity was to be observed, namely, 'that they which use this rite, despise not them who use it not, and that they who use it not, condemn not those that use it.'

It can hardly be disputed that there is more of the liberal spirit in this canon than in the Scottish Covenant. It is fairly justifiable as a serious effort to find a broad ground on which all could unite. Its fault was that it sought to compel all to unite on the ground which it had chosen. No doubt this was a common fault of the time. In the British Isles at least no one, with the exception of some few despised Separatists, had seriously advocated the idea that worship was to be tolerated outside the National Church. What was fatal to the canon on the ceremonies was that the worship which it advocated was not in any sense national. It approved itself to the few, not to the many, and the many who objected to it had besides other reasons for being dissatisfied with the authorities by whom it was imposed.

The canons were therefore at every disadvantage in comparison with the Covenant, as far as their subject-matter was concerned. They were no less at a disadvantage in the sanction to which they appealed. The Covenant claimed to be, and in the main was, the voice of the Scottish Church and people. The canons were only in a very artificial sense the voice of the English Church, and they were in no sense at all the voice of the English people. They were therefore driven to magnify the authority of the King, from whom alone Convocation derived its title to legislate. In the forefront of the argument, therefore, was placed the inculcation

The Divine right of kings.

of the obedience due to kings. "The most high and sacred order of kings," it was declared in a canon ordered to be read in churches four times in every year, "is of Divine right." It was founded in the prime laws of nature, and clearly established by express texts both of the Old and New Testaments, that God had Himself given authority to kings over all persons ecclesiastical or civil. Therefore it was treasonable against God, as well as against the King, to maintain 'any independent coactive power either papal or popular,' whilst 'for subjects to bear arms against their kings, offensive or defensive, upon any pretence whatsoever,' was 'at the least to resist the powers which are ordained of God,' and such as resisted would 'receive to themselves damnation.'

New import of the language used.

In this language there was nothing new. It had been used in the sixteenth century to attack the claims of the Pope. It would be used again in the latter half of the seventeenth century to attack the claims of the Presbyterians. Where Laud erred was in failing to see that an argument always derives its practical force from the mental condition of those to whom it is addressed. The Divine right of kings had been a popular theory when it coincided with a suppressed assertion of the Divine right of the nation. Henry VIII. and Elizabeth had prospered, not because their thrones were established by the decree of Heaven, but because they stood up for the national independence against foreign authority. Charles and Laud had placed themselves outside the national conscience, and their Divine right of kings was held up to the mockery of those to whom their assertions were addressed.

The question of taxation.

Nowhere was Laud's feeble grasp on the realities of life shown more than in the clause relating to taxation. It was the duty of subjects to give 'tribute and custom, and aid and subsidy, and all manner of necessary support and supply' to kings, 'for the public defence, care, and protection of them.' Subjects, on the other hand, had 'not only possession of, but a true and just right, title, and property to and in all their goods and estates, and ought so to have.' A more innocuous proposition was never drawn up, if it implied that the subjects were to be the judges whether their money

was needed for the public defence. If, on the other hand, it implied that the King was to be the judge, it erected a despotism as arbitrary as that which existed in France. What was the bearing of such high-sounding platitudes on the question really at issue—whether an invasion of Scotland was or was not necessary for the public defence and protection of Englishmen?

The etcetera oath.

In one point at least the new canons directly imitated the Covenant. It was impossible that the effective force of the oath which bound Scotsmen together could have escaped the eye of Laud. The Church of England, too, should have its oath, not enforced by lawless violence, but emanating from legitimate authority. "I, A. B.," so ran the formula, "do swear that I do approve the doctrine and discipline, or government, established in the Church of England, as containing all things necessary to salvation, and that I will not endeavour by myself or any other, directly or indirectly, to bring in Popish doctrine contrary to that which is so established, nor will I ever give my consent to alter the government of this Church by archbishops, bishops, deans, and archdeacons, &c., as it stands now established, and as by right it ought to stand, nor yet ever to subject it to the usurpations and superstitions of the See of Rome."

Its unpopularity.

This oath, soon to be known to the world as the etcetera oath, was hardly likely to serve the purpose for which it was intended. The ridicule piled on the demand, that every clergyman, every master of arts who was not the son of a nobleman, all who had taken a degree in divinity, law, or physic, all registrars, actuaries, proctors, and schoolmasters, should swear to make no attempt to alter institutions, which the very framers of the formula omitted completely to specify, would have had little effect if the oath had in any way given expression to the popular sentiment. It is true that, even in this unlucky production, all was not amiss, and in these days we may contemplate with satisfaction the spirit which demanded no more than a general approval of the doctrine of the Church as containing all things necessary to salvation. After all, the main fault to be found with the oath is that it was intended to be imposed on those who did not want to take it;

whilst the Covenant, at least in its earlier days, was intended to bind together, in conscious unity, those who approved more or less zealously of its principles.[1]

The right of Convocation to sit.

The very existence of this Convocation, after the dissolution of Parliament, was in itself a special offence. It accentuated the distinction, already sharp enough, between the laity and the clergy. The clergy, it seemed, were to form a legislature apart, making laws in ecclesiastical matters, and even laying down principles for the observance of Parliaments in such essentially secular matters as the grant of subsidies. No doubt it was the Tudor theory, that Convocation was dependent on the King and not on Parliament, just as it was the Tudor theory that the Royal supremacy in ecclesiastical matters was vested in the Crown antecedently to Parliamentary statutes. The time was now come when the sufficiency of these theories to meet the altered circumstances of the time would be rudely put to the test.

May 29. Conduct of Goodman.

Even in Convocation itself, the question was raised. Bishop Goodman of Gloucester, who had retained his bishopric in spite of his conversion to the Roman Catholic Church, took umbrage at a canon directed at those professors of his creed who were more honest than himself. 'He would be torn with wild horses,' he told Laud, 'before he would subscribe that canon.' When he reached the place of meeting his courage failed him. He fell back on a denial of the right of Convocation to make canons when Parliament was not sitting. Laud waved aside the objection and told him he was obliged to vote for or against the canons. On his refusal to do either, the Archbishop, with the consent of Convocation, suspended him from his office. In the end, Goodman gave way and signed the canons as they stood. As soon as the King heard what had passed he committed the Bishop to the Gatehouse, to answer for his offence in entering into communications with Rome whilst he remained a bishop of the English Church.

Charles and Laud were, before all things, anxious to clear

[1] Canons, in Laud's *Works*, v. 607.

themselves from the stigma of friendliness to Rome. When Convocation was dissolved, on the 29th, the Archbishop protested that the King 'was so far from Popery that there was no man in England more ready to be a martyr for our religion than his Majesty.'[1]

Dissolution of Convocation.

In such a case protests could avail little. They could not call out the national enthusiasm, without which Charles's cause was hopeless. Of such enthusiasm there was no lack in Scotland. A Convention of Estates, a kind of informal Parliament, had sat in Edinburgh in April. It had taken every precaution against surprise. Lord Eglinton was directed to watch the coast from the Clyde to the English border against the landing of the Irish army. Argyle was naturally entrusted with the defence of the Western Highlands. As in the preceding year the main difficulty lay in Aberdeen. On May 5 the Earl Marischal marched in, imposed a fine on the Royalist town, and enforced the signature of the Covenant.[2] In Edinburgh, Ruthven had continued firing on the town from his impregnable position in the castle, and had killed some thirty of the inhabitants in the streets.[3] An attempt was made to undermine his defences, but the rocks on which they were built were so hard that the project was soon abandoned. At sea Charles's cruisers were let loose on Scottish commerce, and a large number of vessels were brought as prizes into English harbours.

April. Convention of Estates at Edinburgh.

May. The Earl Marischal in Aberdeen.

Ruthven in Edinburgh Castle.

The Scottish Parliament had been prorogued to June 2. A decision would soon be taken upon the attitude to be observed towards the King. No doubt could be entertained what that decision would be. Every letter from the South brought confirmation of the belief that

The approaching session at Edinburgh.

[1] Laud's *Works*, iii. 287, vi. 539. Rossingham's *News-Letter*, June 2, 9. *Sloane MSS.* 1,467, fol. 117, 121. Identical canons were passed by the Convocation of York.

[2] *Spalding*, i. 267.

[3] The Marquis of Douglas to Guthrie, May 21. Ernley to Conway, May 22. Intelligence sent to Conway, May 25, *S. P. Dom.* ccccliv. 51, 75, 98.

England was not with Charles. It was openly said at Edinburgh, that as soon as Parliament met the castle would surrender, and 20,000 Scots would cross the border to support the demands which had been made by their commissioners.

In such a temper the Scots were not likely to respect the King's order for the prorogation of Parliament till the beginning of July, an order which, as they rightly judged, was only intended to gain time for the completion of the English military preparations. The Covenanting leaders consulted the principal divines and lawyers of their party on the course to be pursued, and received assurance that Parliament might lawfully sit without the presence either of the King or of his Commissioner.[1] They were even informed that a king who sold his country to a stranger, who deserted it for a foreign land, or who attacked it with an invading force, might lawfully be deposed.[2]

The King orders prorogation.

Opinions of the lawyers.

The King's deposition canvassed.

[1] *Burnet*, 165. "The Scots Estates," wrote Dr. Burton, "did not admit the irresponsibility of the Sovereign. We have seen them bringing James III. to task, and the precedent was made all the more emphatic by the attempt of the lawyers of the seventeenth century to conceal it by mutilating the record in which it is set forth. The punishment of bad Sovereigns is a thing in which the literature of the country deals in a tone evidently directed towards practice. We find the Estates of Scotland dealing with many things now deemed the peculiar function of the executive. They kept in their own hands the power of making peace and war. . . . We shall find that at the time we have now reached," *i.e.* the first years of Mary Stuart, "a critical question was standing over, Whether the Crown had a veto on the acts of the Estates ; in other words, Whether the consent of the Sovereign was necessary to an Act of Parliament, and down to the Union with England this question was not decided." *Hist. of Scotl.* iv. 93.

[2] The evidence for this is a deposition by Sir T. Steward that Argyle had said in his presence that at Edinburgh 'it was agitatt . . . . whether or not ane Parliament might be holdane without the King or his Commissioner, and that a King might be depositt being found guilty of any of thir three : 1, *Venditio* ; 2, *Desertio* ; 3, *Invasio*.' Napier, *Memorials of Montrose*, i. 266. This seems to me credible in itself, and it is borne out by the deposition of John Stuart even before his recantation (*ibid*, i. 297, 299). It is evident, too, from the following phrase in a letter from John-

Startling as the question was, it was one which could not but force itself on the minds of the Scottish leaders. There was something ridiculous in the phrases of devoted loyalty with which they besprinkled a King whom they were preparing to attack with force of arms. Yet, illogical as their position was, it was not in their power to abandon it. To do so would be to introduce hesitation into the hearts of their countrymen, when hesitation would have been ruinous, and would perhaps even raise qualms of conscience in their own bosoms. They therefore fell back on a technical informality in the manner in which the King's orders were presented to them. Montrose urged obedience on the ground that as long as they had a king they could not act without him. Argyle, Balmerino, Rothes, and Johnston significantly replied, 'that to do the less was more lawful than to do the greater.'[1] They held that it was better to act without their sovereign than to depose him.

Such a solution impossible.

Montrose and his friends submitted. They were prepared to support the Royal authority if Charles showed himself ready to comply with the requirements of the Scottish nation. They were not ready to desert the cause which they had hitherto upheld in the face of a bearing so ambiguous as that of the King.[2] Charles had as yet given no engagement to assent to the Acts abolishing Episcopacy. Nor were other causes wanting to

June 2. Session of Parliament.

Montrose's position.

ston, immediately to be quoted, that something of the kind was in agitation. "Montrose did dispute against Argyle, Rothes, Balmerino, and myself, because some urged that, as long as we had a king, we could not sit without him; and it was answered that to do the less was more lawful than to do the greater." Napier, *Memoirs of Montrose*, i. 236.

[1] Napier, *Memoirs of Montrose*, i. 236.

[2] "But the members of the said Parliament," wrote Montrose in 1645, "some of them having far designs unknown to us, others of them having found the sweetness of government, were pleased to refuse the ratification of the Acts of the Assembly, with the abjuration of Episcopacy and Court of High Commission, introduced by the Prelates, unless they had the whole alleged liberty due to the subject, which was, in fact, intrenching upon authority, and the total abrogation of his Majesty's royal prerogative; whereby the King's Commissioner was constrained to rise and discharge

determine Montrose's action at this juncture of affairs. Sharing, as he did, to some extent in Strafford's ideas on the place of monarchy in constitutional government, though laying more stress than Strafford did on the duty of kings to take into consideration the wishes of their subjects, he was more under the limitations of nationality than Strafford was. Monarchy was not to him an authority disposing of the forces of the three kingdoms for the coercion of any one of them which happened to resist the wisdom of the Government. It was a purely Scottish institution. Beyond Scottish territory and Scottish men Montrose's thoughts did not travel. Whether Charles was right or wrong, he was to be resisted if he attempted to enforce his views by means of an army of English foreigners.

Montrose, therefore, a half-hearted Covenanter it might be, was a Covenanter still. His fellow-countrymen became Covenanters, if possible, more resolutely than ever. The Scottish

the Parliament, and was urged to levy new forces to suppress their unlawful desires ; and, fearing lest their unlawful desires and our flat refusal of his Majesty's offer to conform to the conference foresaid, should have moved his Majesty to recall what he had condescended unto, to the prejudice of religion and liberties of the subject; and, on the other hand, calling to mind the oath of allegiance and covenant subscribed for the maintenance of his Majesty's honour and greatness—wrestling betwixt extremities, and resolved rather to suffer with the people of God for the benefit of true religion than to give way to his Majesty in what then seemed doubtsome, and being most unwilling to divide from them we were joined with in Covenant, did still undertake with them." (Napier, *Memorials of Montrose*, i. 218.) Whether this is a perfectly correct account of Montrose's state of mind five years before may perhaps be doubted ; but it is at all events significant that he expresses doubts whether the King might not be induced to withdraw the concessions which he had made at Berwick. In writing to Charles in 1641 Montrose distinctly admits that the cause of the mischief was not to be sought only in the conduct of the subjects. They, he tells the King, are likely to fall from him if, by removing the cause and by the application of wholesome remedies, it be not speedily prevented. "They," he goes on to say, "have no other end but to preserve their religion in purity and their liberties entire." He even speaks as if some moderate alteration in the Acts ought to satisfy the King. "Any difference that may arise upon the Acts passed in the last Parliament your Majesty's presence and the advice and endeavours of your faithful servants will easily accommodate." (*Ibid.* i. 268.)

Parliament made short work of the questions at issue. It speedily converted into laws, as far as it was possible to do so without the Royal assent, all the Bills which had received the approbation of the Lords of the Articles before the prorogation in November. On June 11 the new constitution—it was nothing less than that—was formally approved of, and Parliament separated, leaving behind it a numerous Committee of Estates empowered to conduct the government of the country in its name.

June 11. The Acts passed.

End of the session.

The Committee of Estates.

Of these Acts an enthusiastic Covenanter declared that they exhibited 'the next greatest change in one blow that ever happened to this church and state these six hundred years bypast; for in effect it overturned not only the ancient state government, but fettered monarchy with chains, and set new limits and marks [1] to the same beyond which it was not legally to proceed.' [2]

If such was the view taken of these Acts at Edinburgh it was not likely that they would be acceptable to Charles. Yet it was hard to say what he could do. His army was still to be formed. Conway's 2,000 horse at Newcastle was the only force as yet disposable against the enemy. Conway's account of their condition was most depressing. The pistols which had been sent down to them were absolutely unserviceable, and, as no money was to be had from London to meet the expense of repairing them, he had to give orders that twopence a day should be deducted from the pay of the troopers. A mutiny was the result; and Conway, who had scant time to think of the Petition of Right, ordered one of the ringleaders to be shot. The soldiers themselves were not such as to be easy of guidance. "I am teaching," wrote Conway, "cart horses to manage, and men that are fit for Bedlam and Bridewell to keep the ten commandments; so that General Leslie and I keep two schools. He hath scholars that profess to serve God, and he is instructing them how they may safely do

May. Failure of ship-money.

State of Conway's Horse.

[1] *i.e.* boundaries.

[2] *Balfour*, ii. 379.

injury and all impiety. Mine to the uttermost of their power never kept any law either of God or the King, and they are to be made fit to make others keep them."[1]

Almost as soon as the news of the determination of the Scottish Parliament to continue in session reached the King, a desperate effort was made to extract ship-money from the City of London. On June 9 the Lord Mayor and sheriffs were before the Council. The Lord Mayor was asked why he had not collected the money. He replied that he had done his best. "Why," asked the King, did you not distrain?" The poor man pleaded that one of his predecessors was the defendant in an action brought against him in the King's Bench by the indefatigable Richard Chambers for his conduct in collecting ship-money, and that he did not wish to be in the same position. "No man," said Charles peremptorily, "shall suffer for obeying my commands." Lord Mayor Garway was hardly the man to hold out as Alderman Soames had held out in the case of the loan. He was himself one of the collectors of the new impositions, and had made good profit out of an unparliamentary levy. The next day, accompanied by the sheriffs, he went from house to house to demand the money for the King. In the whole City only one man was found to pay it. The Lord Mayor then bade the sheriffs to distrain the goods of the refusers. They told him that this 'was his business, not theirs.' Entering a draper's shop he took hold of a piece of linen. The owner coolly asked to be allowed to measure the stuff before he parted with it. When he had ascertained its length, he named the price of the goods, and said that he should charge it to his lordship's account.[2]

June 9. The City ordered to pay ship-money.

June 10 Failure of the attempt to collect it.

June 11. Coat-and-conduct money in the City.

On the 11th the Common Council met to consider another demand which had been recently made upon them. They had been required to furnish 4,000 men for the army, and to comply with the usual requisition

[1] Conway to Laud, May 20; Conway to Northumberland, May 20; Conway to the Countess of Devonshire, May 28, *S. P. Dom.* cccliv. 30, 38.

[2] Rossingham's *News-Letter*, June 16, *S. P. Dom.* ccclvii. 36.

for coat-and-conduct money. After some discussion the meeting separated without returning an answer, and this postponement of a resolution was almost tantamount to a refusal.[1]

Such a rebuff left Charles almost as much irritated with the City as he was with the Scottish Parliament. The ease with which he had gained the mastery over the turbulent apprentices brought the notion into his head that it would be possible to use armed force to compel the City to minister of its fulness to the necessities of the State. In his eyes the refusal of ship-money and of coat-and-conduct money was a distinct rejection of legal obligations, and compulsion would thus only be used to bring offenders upon their knees. Such fancies remained with Charles no more than fancies. To carry them out would take time, and it might be that, before he had effected his purpose, a Scottish army would cross the Borders to throw its sword into the scale. It would therefore be necessary to take up once more the scheme of a negotiation with the Scots. A peace with the northern kingdom might be patched up on the best terms which could be obtained, in the expectation that sooner or later an excuse would be given for recommencing the war with better chances, and for reducing Scotland to the obedience which it owed to its rightful King.[2]

June 12. Charles thinks of using force with the City;

and of negotiating with the Scots.

[1] The Council to the Lord Mayor, May 31, *Rushworth*, iii. 1188. *Common Council Journal*, xxxix. 97, *Corporation Records*.

[2] This rests on the testimony of Rossetti. He would be well informed by the Queen of what was passing. After speaking of the guards placed by the King at Somerset House and St. James's, he says that this was done 'poiche avrebbe voluto, sotto questo colore di reprimere tali seditioni, unire insieme le sue forze per meglio tenere in offitio la città, e costringerla formatamente à dargli qual sussidio di danaro che per via parlamentaria non ha potuto ottenere. . . . Ma perchè per essere la stagione troppo inanzi, e questo dissegno del Rè solamente meditato, difficilmente o con molto progresso potrebbe effettuarlo in quest' anno, si è inteso di più che egli voglia pacificare in qualche buon modo gli Scozzesi per hora et intanto aggiustare le cose d'Inghilterra per non haver impedimento dietro le spalle, e provedersi di danari e d'altre cose necessarie per poter essere in termini à tempo più maturo di muoversi contro la Scotia, et per condurre S. M^a^ più cuatamente il tutto credesi che pensi di voler andare con apparecchio pacifico alle frontieri di quel Regno, accommodarsi in qual miglior

Before Charles could resolve to take one course or another even worse news than that which had reached him from Edinburgh was speeding across the Irish Channel. The Parliament of Ireland met for its second session on June 1. The enthusiasm, real or factitious, with which the subsidies had been granted in March had long since died away. Strafford was no longer in Dublin to warn and to encourage. Nor was the situation the same in June as it had been three months before. Not only was there a difference between the time of payment and the time of promise, but there was no longer reason to believe that the Irish who supported the King would be on the winning side. Nor was the House of Commons quite the same as it had been in March. The balance in an Irish House of Commons was easily shifted. Care had been taken that neither the Roman Catholic members nor the independent Protestant members should form a majority. By means of the knot of civilian and military officials the Government could convert either of these minorities into a majority, and it was, therefore, in the interest of both parties to court the good-will of that Government which could do so much to serve them or to injure them. For the moment, however, this source of authority was no longer available. Wandesford, the new Lord Deputy, who held office under the Lord Lieutenant, was an honourable and loyal man, but he was not a Strafford. Even if he had been all that Strafford was, it is doubtful whether success would have been within his reach. Many of the official members were absent from their posts, actively employed in raising troops and in preparing for the coming campaign.[1]

June 1. The second session of the Irish Parliament.

Protestants and Roman Catholics might be at issue on many points, but they were agreed in disliking to pay large

modo che si potesse con li Scozzesi, e veder poi a suo tempo di ridurgli à perfetta obbedienza coll' armi.' He goes on to say that, in spite of the King's irritation about the news from Scotland, 'nondimeno credesi che egli voglia per hora con l'arte più che con la forza procurare di ridurre a qualche quiete le cose.' Rossetti to Barberini, June $\frac{12}{22}$, *R. O. Transcripts*.

[1] Carte's *Ormond*, i. 99.

sums of money. In 1634 the Lord Deputy had bethought himself of a new way of collecting the supplies voted. He and his council came to the conclusion that each subsidy ought to be worth a certain sum, and this sum was then distributed amongst the counties, each county being left to assess its own share upon its inhabitants. This precedent had been followed by Wandesford. The Commons now drew up a declaration, in which they alleged that each man's property[1] should be rated to pay a certain proportion, whether the whole sum came up to the Deputy's expectations or not. The first subsidy voted might be gathered in as Wandesford had proposed, but the others must be collected 'in a moderate Parliamentary way.' To this demand Wandesford was forced to give his consent, and the Houses were then prorogued till October.[2]

Objections to the mode of levying subsidies.

June 13. Declaration of the Commons.

In spite of this rebuff Wandesford was still hopeful. The full value of the first subsidy would now be paid. The army, which was waiting for supplies, would be able to rendezvous at Carrickfergus by the end of July. By that time Strafford would be sufficiently recovered to cross the sea, and with him as its leader the long-expected blow would at last be struck.

The Irish army.

The pecuniary loss to the Irish Treasury was even greater than the Lord Deputy anticipated. The first subsidy, indeed, collected on Strafford's plan brought in 46,000*l.* The second and third subsidies together brought in only half that sum. The fourth subsidy was never collected at all.[3]

Small value of the subsidies.

It was as well that it should be so. Strafford's plan deserved

[1] *Irish Commons' Journals*, i. 146.

[2] In a subsequent petition of the Commons (*S. P. Ireland*, Bundle cclxxxvi.) it is said that estates were valued at the tenth part, and that they then paid 4*s.* in the pound in lands and 2*s.* 8*d.* in goods, and that this was higher than the rates used in England. This helps us to understand how a subsidy of nominally 4*s.* in the pound was borne.

[3] Wandesford to Ormond, June 7, 10, 12, 30, *Carte MSS.* i. fol. 203, 206, 209, 211. Radcliffe to Conway, July 4, *S. P. Ireland*, Bundle cclxxxvi.

to fail. To call upon Ireland, poor as she was, to bear a burden out of all proportion to that which England had ever consented to bear, was to make a demand beyond the bounds of reason. Nor was it fair upon Ireland to place her thus in the forefront of the battle. Victorious or vanquished, she would but bring down upon herself the hatred of her more powerful neighbour.

Whilst Ireland was drawing back and Scotland was menacing, the English Government was in desperate straits for money.

Proposed Genoese and French loans.

Early in June an agent of Cottington's offered the most advantageous conditions to the French Government in return for a loan, and at the same time an effort was made to obtain a similar advance from the financiers of Genoa. Neither attempt was successful. Richelieu had no wish to help Charles out of his difficulties, and the Genoese were hardly likely to be satisfied with any security which the English Government had in its power to give.[1]

Attempt to get money from the Catholics.

Another plan was to squeeze money out of the unfortunate Catholics. Orders were given to arrest all the priests who were to be found, as well as such of the laity as frequented the chapels of the Catholic ambassadors. The Queen's influence, however, was once more brought to bear upon her husband, and these proceedings were stopped on the understanding that the Catholics would follow the precedent of 1639 by making a voluntary contribution towards the expenses of the war.[2]

Alarming news began to pour into Whitehall from those who were entrusted with the military preparations. There had

Condition of the army.

always been a strong belief at Court that the opposition to the King was for the most part confined to the upper classes—at all events amongst the rural population. The theory was not entirely without foundation.

[1] Memorandum, June, *S. P. Dom.* ccclviii. 75. Montreuil's despatch, June 4, *Bibl. Nat.* Fr. 15,995, fol. 93. Giustinian's despatches, June $\frac{5}{15}$, $\frac{19}{29}$, *Ven. Transcripts. R. O.*

[2] Rossetti to Barberini, June $\frac{19}{29}$, *R. O. Transcripts.*

Puritanism had no deep root in the minds of the agricultural poor. Country gentlemen and small freeholders might be averse to Laudian innovations in the Church and to unparliamentary exactions in the State, but the labourers and the small handicraftsmen of the country-side cared very little about the matter. They wanted to be let alone that they might be allowed to earn their daily bread in peace. It was the great mistake of the Government to imagine that this passive submission could be easily converted into active loyalty, and that it was possible to pass over the opposition of the intelligent classes, because those classes were of necessity only a minority of the whole population. The moment the carters, the blacksmiths, and the labourers were ordered to put on a uniform and to march far away from their cottages and their families, they would be full of dissatisfaction with the Government which tore them from their homes to expose them to danger, and perhaps to death, for a cause which inspired them with no interest whatever. Something of this feeling is sometimes manifested in modern armies whenever the reserves are called out for actual war. But in modern armies the feeling is always shortlived. Enthusiasm for the cause at stake, military habits created early in life, and, above all, the influence of a body of officers accustomed to command, and of comrades accustomed to obey, combine to create the military habit of discipline and obedience which has been for a time put off amidst the cares and emulation of civil life. To Charles's army all this was lacking. There was no enthusiasm whatever. In the new-levied ranks there were none but raw recruits, and the alienation of the country gentlemen made it impossible to appoint men whose local influence would inspire confidence, and in some way redeem their want of military knowledge. Officers who had served in Holland or Germany were mingled with officers who had never served at all. Scarcely one of either class had any knowledge of the men whom they were designed to lead. Fresh from Court they arrived to take the command of companies in which every soldier was in a state of irritation at having to serve at all, and in which not a single soldier had any reason to hold them in the slightest respect. Even in the preceding

year something of this inconvenience had been felt. But in 1639 the bulk of the army had been drawn from the trained bands of the counties north of the Humber, who were consequently under the orders of the gentlemen of their own shires. In 1640 the trained bands were not called out at all, and the northern counties were excused from a service to which they had contributed so much in the preceding summer. The pressed men of the shires south of the Humber, who formed the army of 1640, were both more indifferent to the chances of a Scottish invasion, which was not likely to reach their own homes, and were themselves drawn from a lower class.

Distrust of Roman Catholic officers.

Nor did the danger end here. The sixteenth century had left behind it as a legacy an indelible, if somewhat unintelligent, hatred of the Roman Catholic Church. With few exceptions, high and low were actuated by a common feeling of abhorrence. Charles, indeed, had himself a firm determination never to acknowledge the Papal claims; but in his dread of Puritan ascendency, he fancied that he could trust the Catholics, and that he could trust very few others. Even before the Short Parliament Rossetti boasted that many Catholics were placed in military commands from which Puritans were strictly excluded.[1] Charles forgot that such an arrangement would loosen still more the ties of discipline, already loose enough; and that the commentary which he had thus given upon his employment of an Irish army was likely to increase, if possible, the bitterness which that imprudent measure had caused.

Want of pay.

It is possible that if pay had been constant, such seeds of mischief might, not without much difficulty, have been eradicated. But the financial troubles of the Government made themselves felt everywhere. When at last, early in June, the men started on the march for the rendezvous at Selby, it was often with a feeling of doubt whether the money due for their services would ever really be paid.

Tales of disorder at once began to pour in from every side. In Wiltshire a company roved about stealing poultry and

[1] Rossetti to Barberini, $\frac{\text{March } 27}{\text{April } 6}$, *R. O. Transcripts*.

assaulting honest countrymen who refused to satisfy the demands of the soldiery. Another body of men in the same county were filled with the universal fear of Popish intrigue. They asked their captain whether he would receive the Communion with them. On his refusal, they told him 'that if he would not pray with them, they would not fight with him,'[1] and declined to follow him farther. In Suffolk the deputy-lieutenants announced that the mutinous soldiers had threatened 'to murder them.' In the City of London, in Kent, Surrey, Essex, Herts, Buckinghamshire, and Bedfordshire, resistance to the levy was almost universal. On the 16th Northumberland complained that desertions were so numerous that scarcely half the numbers raised would appear at Selby.[2] Before long the Government and the country were startled by the news that an officer had been actually murdered by the Dorsetshire men at Faringdon. Lieutenant Mohun had given an order to the drummer. The boy refused to obey, and insolently raised his drumstick to strike him. Mohun drew his sword, and slashed at the drummer's wrist, almost slicing away his hand. The news quickly spread. Mohun was chased to his lodgings by the angry soldiers. His brains were dashed out with their clubs, and his body, after it had been dragged through the mire, was suspended to the pillory. The authors of the outrage dispersed in every direction. Many of them were subsequently captured and committed for trial, but the organisation of the force was hopelessly broken up.[3]

Want of discipline.

June 17. Murder of Lieutenant Mohun.

Other regiments were in nearly as bad a condition. Lunsford complained that the Somersetshire men in his charge refused to obey his orders. "Divers of these," he wrote from Warwick, "in troops returned home, all in a forwardness to disband, and the counties rather inclined

June 22. Desertion in Warwickshire.

[1] J. Nicholas to Nicholas, June 1. Rossingham's *News-Letter*, June 8, *S. P. Dom.* cccclvi. 44.

[2] Deputy-Lieutenants of Suffolk to the Council, June 8, fol. 2. Northumberland to Conway, June 13, 16, *ibid.* cccclvi. 45, 77; cccclvii. 5, 34.

[3] The Sheriff of Berks to the Council, June 20. Rossingham's *News-Letter*, June 23, *S. P. Dom.* cccclvii. 104.

to foment their dislikes than to assist in punishment or persuasions. Hues and cries work no effect. We want orders to raise the power of the countries,[1] are daily assaulted by sometimes five hundred of them together, have hurt and killed some in our own defences, and are driven to keep together upon our guard."[2]

Whilst the soldiers were thus breaking out into open mutiny, the Court of King's Bench, the great prop of Charles's government, was showing signs of uneasiness. When the counsel for Chambers, in his ship-money case, had been heard, Heath applied, on behalf of the defendant, to postpone his argument till after the Long Vacation, and the concession, though made by the court, was only made with considerable hesitation. On another case of still greater importance, the judges were more peremptory. A Northamptonshire gentleman, named Pargiter, had been committed for refusing the payment of coat-and-conduct money. He applied for a writ of *habeas corpus*, and the court, in accordance with the Petition of Right, required that the cause of his committal should be signified. The counsel for the Crown asked for delay, and, though his request was not absolutely refused, he was told that cause must be shown before the end of the month.[3]

June 20. Case of Chambers.

Case of Pargiter.

The legality of coat-and-conduct money questioned.

This occurrence placed the Government in no slight difficulty. It seemed as if another monster trial, similar to that of Hampden, was inevitable. The lawyers of the Opposition would argue, with the sympathy of the nation again on their side, that coat-and-conduct money was an illegal exaction. The existing system was of such recent introduction that this time the judges might possibly not be in favour of the Crown. It was certain that, whether the judges decided in favour of the Crown or not, very little money would be paid whilst their decision was pending. The

The difficulty of the Government.

[1] *i.e.* counties.

[2] Lunsford to Northumberland, June 22, *S. P. Dom.* cccclvii. 91.

[3] *Council Register*, May 22. Rossingham's *News-Letters*, June 16, 23, *S. P. Dom.* cccclvii. 36, 104.

prospect of meeting the Scots in the field with a sufficient army, bad as it was already, would be altogether at an end.

From this difficulty Charles was saved by his legal advisers. In the reign of Henry IV., it had been decided in Parliament that, when an invasion was impending, the King might issue Commissions of Array. All who were capable of bearing arms in each county would be bound to march in person to the defence of the realm. Those who were incapacitated by age or infirmity would be bound to contribute both to the equipment of the force thus raised, and to its support till it passed the borders of the county in which it had been levied. After that it would be taken into the King's pay.

June 24. Proposed issue of Commissions of Array.

The Attorney-General was therefore ordered to prepare such Commissions of Array. Not only had Charles found a legal basis for the exaction which had been questioned, but he would be freed from the obligation of repaying the sums which had been expended in the counties.[1]

There can be little doubt that this resolution was applauded by Strafford, who was now sufficiently recovered to take part in public affairs, though he did not sit in Council till some days later.[2] Yet, though he was glad to find that the law would cover strong measures, he was still of opinion that the crisis demanded strong measures whether the law would cover them or not. Conway, at Newcastle, was much vexed by Northumberland's anxiety to keep within the law. The Lord General has been especially alarmed by the intelligence that Conway had executed a mutineer by martial law. He consulted the lawyers, and the lawyers told him that both he and Conway must receive a pardon from the Crown if they wished to escape punishment.[3] Conway complained to Strafford, as certain of his sympathy.

Strafford's recovery.

Question of martial law.

June 28.

[1] *Council Register*, June 24. *Rolls of Parliament*, iii. 526. Stubbs, *Const. Hist.* iii. 262; 279, note 1.

[2] On July 5. Joachimi to the States-General, July $\frac{13}{23}$, *Add. MSS.* 17,677, 2. fol. 216.

[3] They held that martial law could still be exercised 'where an army is in a body drawn together and near an enemy,' which was not the case here.

How, he asked, could discipline be maintained on such conditions? A soldier was then in prison charged with a brutal murder. "If he be not executed by martial law, but that we turn him over to the law, it will utterly lose all respect and power. If martial law may be executed, let me know it; if it be not, and that the King cannot find a remedy for it, it will not be possible to keep the troops together."[1]

Newcastle left unfortified.

Charles, as Strafford would have said, was lost by halting between Saul and David. He had neither the advantage of popular support nor of self-reliant dictatorship. In vain Conway pointed out the absolute necessity of fortifying Newcastle, and begged to be allowed to lay an imposition on the townsmen for the purpose. Northumberland hesitated in face of the obvious illegality of the proposal. It was, he said, a good work, but he doubted 'whether these distempered times' were 'proper for such a business.'

June 30. Northumberland's prognostications.

"When all levies that have formerly been paid," he wrote to Conway, "are now generally refused, what hope is there of raising money by any such way till there come a fitter season? I will keep your proposition by me, and make use of it as I see occasion." The occasion never came till it was too late. To Northumberland, all the efforts made by his more warlike colleagues were hopeless from the first. "To your lordship," he went on to say, "I must confess that our wants and disorders are so great that I cannot devise how we should go on with our designs for this year. Most of the ways that we relied on for supplies of money have hitherto failed us, and for aught I know we are likely to become the most despised nation of Europe. To the regiments that are now rising we have, for want of money, been able to advance but fourteen days' pay, the rest must meet them on their march towards Selby, and for both horse and foot already in the North we can for the present send them but seven days' pay. We are gallant men, for this doth not at all discourage us. We yet make full account of conquering Scotland before many months pass."[2]

[1] Conway to Strafford, June 28, *S. P. Dom.* ccccli. 58.

[2] Northumberland to Conway, June 30, *ibid.* ccccli. 58.

Amongst these gallant men who were not to be discouraged was Windebank. To him all the disorder amongst the troops was but the work of a few evil-disposed persons in the higher ranks of society. "Some restiveness appears in some counties," he wrote, "in raising the forces, and sundry insolences are committed by the forces when they are levied, most of which have been redressed upon repair of the Lords Lieutenants in person to the counties, so that the people are not in themselves refractory, but when the Lords Lieutenants are well-affected and diligent the service succeeds without difficulty."[1]

July 6. Windebank's satisfaction.

The Secretary's optimism was not shared by Sir Jacob Astley, the veteran to whom was entrusted the task of receiving the recruits as they arrived at Selby. On July 9, he reported that 4,000 had then arrived, 'the arch knaves of the country.' He had only money enough to pay them for a week. Large numbers of them straggled over the country, beating their officers and the peasants. On the 11th, 2,000 more came in. Unless he had more money soon, he declared, the whole force would break up. The men came ill-clothed from their homes. Many had neither shoes nor stockings. The captains were constantly going to York to ask for money to pay their men, when they ought to have been drilling them, if they were ever to convert them into soldiers.

July 9. Astley's report.

July 11.

[1] Windebank to Conway, July 6; Astley to Conway, July 9, 11, *S. P. Dom.* ccccliix. 41, 64, 84.

CHAPTER XCIII.

THE SECOND BISHOPS' WAR.

WHILST the English army was falling into a state of dissolution, the Scots were taking advantage of the time afforded them to master all resistance in the rear. This time the hand of the Committee of Estates was to fall heavily on the North. With them, as with Strafford, there was a firm resolve that all should be done that power would permit. If the North could not be conciliated it must be coerced. Montrose's visionary notion that gentle treatment would avail must be laid aside.

1640. June. The Scots determine to coerce the North.

This time the command of the force destined for the North was assigned to Monro, a rough soldier fresh from the school of violence which had been set up in Germany. On May 28 he joined the Earl Marischal at Aberdeen. The inhabitants were driven by military compulsion to sign the Covenant, those who refused being sent to Edinburgh as prisoners. A hundred and fifty of the stoutest men in the place were pressed into the army. The country around was subjected to visitation. The doors were broken open, the horses carried off, and the furniture burnt.

May 28. Monro in Aberdeen; June 10.

The turn of the Gordons came in July. On the 5th Monro was in Strathbogie. Huntly had sought refuge in England, and his tenants paid the penalty. Their sheep and cattle were driven away, or restored only on payment of money, and heavy fines were imposed upon themselves. The unpaid soldiers lived at their ease at the expense of the inhabitants of the district.[1]

July 5. and in Strathbogie.

[1] *Spalding*, i. 272–307. *Balfour*, ii. 381.

Further south, Argyle had his interests as a Highland chieftain to serve as well as his interests as a Covenanter. At Edinburgh he was the wily statesman directing every move of the game, whilst keeping himself studiously in the background, and not even taking a place in the Committee of Estates. In the Western Highlands he was the head of the Campbells, eager to push the authority of his family over an ever-widening circle of once independent clans. The character borne by the Campbells in the Highlands was not a good one. Their favourite tactics, it was said, had been to urge their neighbours to resistance against the king of the day, and then to obtain powers from the king to suppress the rebellion to their own profit. Each of the subdued clans was forced to forsake its own organisation, and to merge its very name in that of the Campbells.[1] The opportunity had now come for carrying out this process in the name not of the King but of the Covenant. Very few, if any, of the dwellers in those rugged glens cared for either King or Covenant; but where the influences of Argyle and Huntly met in the very centre of the Highlands, those who feared and detested Argyle were necessarily the partisans of Huntly and, in some sort, of the King.

Argyle in the Western Highlands.

The first act of the new Committee of Estates had been to issue to Argyle a commission of fire and sword against the Earl of Athol, the Earl of Airlie, and various Highland clans whom it was determined to reduce to submission. Argyle set out from Inverary on June 18, with a following of 4,000 Highlanders. Athol had but 1,200 to oppose to him. The two forces met near the spot on which Taymouth Castle now stands. Athol was inveigled by a promise of safe return into an interview with Argyle. Argyle tried to win him over by considerations of personal interest. He told him significantly that he had himself claims upon his lands, and that there had been a talk at the late Parliament of deposing the King, from which Athol was probably intended to infer that he might have a difficulty in making out his title to the satisfaction of a new and hostile

June 12. Argyle's commission.

June 18. Argyle's raid.

[1] Skene, *The Highlanders of Scotland*, i. 138.

Government. As Athol did not take the hint, he was seized, as Huntly had been seized the year before, and sent a prisoner to Edinburgh, in defiance of the pledge given by his host.[1]

Argyle pushed on into Angus, the Forfarshire of modern geography. The Earl of Airlie was away with the King, but he had fortified his house, leaving it in the keeping of Lord Ogilvy, his eldest son. The news that Argyle and his dreaded Highlanders were on the march for the uplands which swell towards the Grampians from broad Strathmore struck terror into the hearts of Covenanter and anti-Covenanter. The gentry of Angus and Perthshire called on Montrose to provide a remedy. Montrose, it is true, had been one of those who had signed the terrible commission to Argyle;[2] but it was well understood that his heart was not with Argyle. He soon gathered the forces of the neighbourhood, obtained from Lord Ogilvy the surrender of the house, and placed in it a small garrison, to hold it for the Committee of Estates.

July. Airlie House capitulates to Montrose.

When Argyle arrived it seemed as if nothing remained to be done. The intervention of Montrose, however, goaded him into savage exasperation. He was too shrewd not to perceive that Montrose's policy of reconciling the King with the nation was thoroughly impracticable, and he had none of those generous instincts which lay at the root of Montrose's error. As Montrose was beyond his reach, he wreaked his vengeance on the property and tenants of the owner of the lands of Airlie. The 'bonnie house' was burnt to the ground. Another house belonging to the Earl of Airlie at Forthar shared the same fate. Plunder went hand in hand with destruction. The wild Highlanders stripped the fields of sheep and cattle, and drove them off to stock the valleys of the Campbells in the West.[3]

Argyle's ravages.

[1] Sir T. Stewart's deposition. Answers to J. Stewart's deposition. Exoneration of Argyle. Napier's *Memorials of Montrose*, i. 257, 266, ii. 475.

[2] Commission, June 12, *Hist. MSS. Com. Rep.* iv. 491.

[3] *Gordon*, iii. 165. *Spalding*, i. 291. *Memorials of Montrose*, i. 256, 264, 330, 358. In a letter to Dugald Campbell, of Inverawe (*Notes and Queries*, 5th ser. ix. 364), Argyle gave the following instructions :—"See

Having done his work on the edge of the Lowlands, Argyle turned his course homewards along the fringe of his own dominions. Braemar and Badenoch felt the terror of his coming. There was plundering and burning and slaying in those distant glens. The Camerons of Lochaber, on the other hand, were treated with special favour. They had grown weary of their dependence on Huntly, and were ready to transfer their allegiance to Argyle.[1]

Argyle in the Highlands.

For the immediate purposes of war, Scotland was now a realm at unity with itself. This time there was no risk of repeated diversions in the stricken North. In the South the Royalists were few and easily suppressed. The lands and houses of all who opposed the Covenant were taken by force. It was not long before Ruthven on the castled crag of Edinburgh alone upheld the banner of the King.

Condition of Scotland.

Though Argyle was raising up enemies to give him trouble at some future day, his position was, for the immediate present, one of commanding strength. His rival Montrose had one fatal weakness. The corner-stone of his policy was the chance that Charles would at last be frank and consistent. In reality, Charles was wavering from day to day. Before the end of June Hamilton had won him over to another attempt to conciliate Scotland. On the 27th Loudoun was set free and despatched with instructions which were vague enough in themselves, but which seem to have been explained to mean that Charles would now bind himself to carry out the Treaty of Berwick after the Scottish interpretation; and that, although he refused to acknowledge

Argyle and Montrose.

June 27. Liberation and mission of Loudoun.

how ye can cast off the iron gates and windows, and take down the roof; and if ye find it will be longsome, ye shall fire it well, that so it may be destroyed. But you need not let know that ye have directions from me to fire it; only ye may say that ye have warrant to demolish it, and that to make the work short ye will fire it." This keeping back his own part in the matter is quite in character. I have not inserted Gordon's story about Argyle's expulsion of Lady Ogilvy from Forthar when near her lying in, as it is stated in a letter from Patrick Drummond of Sept. 12 (*S. P. Dom.*) that Argyle accused Montrose of having suffered the lady to escape, which is inconsistent with Gordon's account.

[1] *Gordon*, iii. 163.

the validity of Acts passed during the late session, he would promise not to interpose his veto upon those for the establishment of the Presbyterian Constitution, if they were presented to him in a regular manner. On the other hand, Loudoun was to do his best to prevail with his countrymen 'that the King's authority should not be entrenched upon nor diminished.'[1]

As he passed through Durham, Loudoun gave out freely that he was bringing peace to Scotland.[2] When he arrived in Edinburgh he found that the terms which he brought would no longer give satisfaction. The question which had come to an issue since he had been thrust into the Tower was whether or no the Parliament had the right of making laws in defiance of the King. On this the leaders declared themselves to have no intention of giving way.[3] During the first week in July, whilst Monro was harrying Strathbogie and Argyle was harrying Angus, Leslie was gathering the nucleus of an army, and preparing for the invasion of England.

July. Loudoun announces that he is bringing peace.

Failure of his negotiation.

A Scottish army could support itself, at least for a time, on taxes levied by the orders of the National Government, eked out by voluntary contributions and the confiscated property of the opponents of the Covenant. Charles had none of these resources. The commissions of array were now supported by fresh orders for the collection of coat-and-conduct money, and on July 5 the Attorney-General was directed to prosecute the Lord Mayor and sheriffs for their neglect in the collection of this money. Some relief, indeed, had been obtained before the end of June by an advance made by the farmers of the customs of more than 44,000*l.*, and other loans obtained from officials and men of position had raised the sum obtained in this way to little less than 60,000*l.*[4] But the necessities of

July 4. Coat-and-conduct money again.

July 5. Prosecution of the Lord Mayor and sheriffs.

[1] Instructions and Memorandum, June 26. Lanark to the Lords, June 26, *Burnet*, 170. Compare Giustinian to the Doge, July $\frac{3}{13}$, *Ven. Transcripts, R.O.*

[2] Duncan to Windebank, July 9, *S. P. Dom.* cccclix. 61.

[3] The Lords, &c., to Lanark, July 7, *Burnet*, 172.

[4] Account of Loans, June 23, *Breviates of the receipt.*

the army were too great to be permanently supplied thus, and if England was to be defended recourse must be had to one or other of those extraordinary measures which had been so often talked of.

The first plan attempted appears to have been suggested by Hamilton.[1] For some years the King had derived profit from a percentage upon the coinage of Spanish bullion, which he afterwards transported to Dunkirk. This bullion was now seized in the Tower, to the amount of 130,000*l.*, on promise of repayment six months later.

Proposed seizure of bullion at the Tower.

Such a blow startled every merchant in the City. Those who had money or stocks in foreign cities dreaded reprisals, which would put an end to commerce. The great Company of the Merchant Adventurers took the lead in protesting. They sent a deputation to call Strafford's attention to the mischiefs which were certain to result. Strafford told them bluntly that it was the fault of the City of London that the King had been brought to such a pass. The remonstrances of the merchants, however, were too well founded to be thus dealt with. The Council was told that if the King's faith were broken so flagrantly, all the profits which both he and his subjects had derived from making England the bullion-mart of Europe, would come to an end. At last a compromise was arrived at. The merchants agreed to lend the King 40,000*l.* on the security of the farmers of the customs, a security which they justly considered to be better than his own.[2]

July 6. Protest of the Merchant Adventurers.

More than this was needed, and it was now proposed to

[1] The Spanish ambassadors give this as a rumour (Velada, Malvezzi, and Cardenas to the Cardinal Infant, July $\frac{18}{28}$, *Brussels MSS.* Sec. Esp. cclxxxv. fol. 32), but it is borne out by Strafford's disclaimer of having been the originator of the idea.

[2] *Rushw.* iii. 1216. *Straf. Trial*, 589. Montreuil's despatches, July $\frac{9}{19}$, $\frac{16}{26}$, *Bibl. Nat.* Fr. 15,995, fol. 97, 99. Salvetti's *News-Letter*, July $\frac{10}{20}$. Giustinian to the Doge, July $\frac{17}{27}$, *Ven. Transcripts, R. O.*

find the necessary resources in a debasement of the coinage.

July 11. Proposed debasement of the coinage.

The officers of the Mint were directed to produce shillings the real value of which would be threepence each, and which were to bear as a motto in Latin the confident words, "Let God arise, let His enemies be scattered."[1] These coins the officers declared they would be at once able to turn out up to the nominal amount of 14,000*l.* a week, and after a little preparation they would be able to turn them out up to 30,000*l.* a week. Strafford recommended that the soldiers should be paid, at least for some time, in good money, but that all other payments out of the exchequer should be made in bad money.[2] As soon as the project was known there was a loud outcry. The citizens declared that nothing would induce them to accept the rubbish to which it pleased the King to give the name of shillings. The officers of the Mint asserted that their men would not work if their wages were to be paid in the new coins. Strafford could only answer by threatening the workmen with the House of Correction. To the citizens he had already replied, by telling them that Frenchmen were worse dealt with than they, and that the King of France had recently sent round commissioners to search the books of the Paris merchants in order to levy contributions on them.[3]

Roe's opposition.

Even in the Privy Council, the miserable scheme met with warm opposition. Sir Thomas Roe, who had recently been added to the Board, argued forcibly that it would be as disastrous to the Crown as to the people. Strafford had now ceased to have eyes for anything save the immediate present. He broke out into a rage, and rated Roe soundly for his meddling. The King announced that the debasement was unavoidable. The Attorney-General was

[1] *Exurgat Deus, dissipentur inimici.*

[2] Notes of the proceedings in the Committee, July 11, *S. P. Dom.* ccccxlix. 77.

[3] Rushworth, *Strafford's Trial*, 596. Strafford here is described as sick, so that the question was probably first mooted earlier than it came openly forward.

directed to draw up a proclamation on the subject, and orders were given to prepare the new dies at the Mint.[1]

Every day marked Strafford more clearly than before as the author or supporter of all violent and ill-considered actions. Men with less burning heat in the cause could see what he could not see. "The keeping of disorderly and new raised men," wrote Northumberland, whose languid interest in the struggle enabled him to cast his glances around him with the impartiality of a mere spectator, "and the coining of copper money, are shrewd signs that money is not so plentiful as it ought to be at the beginning of a war. . . . I pray God those that were the advisers of it do not approve themselves more ignorant in the ways of governing an army than they would seem to be."[2]

July 13. Northumberland's opinion.

The disorders of the men on the march were still continuing. On the 12th the Devon men, halting at Wellington, in Somersetshire murdered Lieutenant Eure, a Catholic officer, who refused to accompany them to church. The population of the town and neighbourhood sympathised with the perpetrators of the crime. Not a man would stir to arrest the murderers. Even the neighbouring magistrates gave no assistance. The appointment of Catholic officers had not been by any means the source of strength which Charles had expected it to be. An indefinable feeling of uneasiness and suspicion was spreading through the ranks of the ignorant peasants on whom Charles had rested his cause. At Daventry, five or six hundred Berkshire men broke out into mutiny. Some of them said they would not fight against the Gospel. Others declared that they would not be commanded by Papists. The determination not to serve under Catholic officers threw whole regiments into disorder. In a force intended to serve under Hamilton on the east coast of Scotland, a full half of the officers were Catholics,

July 12. Murder of Lieutenant Eure.

Mutiny at Daventry.

[1] Montreuil's despatch, July $\frac{16}{26}$, *Bibl. Nat.* Fr. 15,995, fol. 99. *Rushworth*, iii. 1217. *Straf. Trial*, 591.

[2] Northumberland to Conway, July 13. Northumberland to Astley, July 14, *S. P. Dom.* cccclix. 97, cccclx. 3.

and it was only by calling out the trained bands to seize the mutineers, and to thrust them into the House of Correction, that order was restored at all.[1]

July 11. Young Windebank and his men.

Amongst men so ignorant and unruly it sometimes happened that a clever officer gained an ascendency which raised him above suspicion. Windebank's son heard that the men of his company had sworn to murder all Popish officers. He at once ordered them all to kneel down and sing psalms, told one of his subalterns to read some prayers, and ended the scene by serving out beer and cheap tobacco at his own expense. The plan was perfectly successful. "They all now," he wrote to his father, "swear that they will never leave me as long as they live, and indeed, I have not had one man run from me yet in this nine days' march; but other captains of our regiment which marched a week before us, are so fearful of their soldiers that they dare not march with them on the way; their soldiers having much threatened them, and have done much mischief in all places they come, by stealing and abusing everyone, their officers daring not to correct them; but I thank God, I have all my men in so great obedience that all the country as I go pray for me, saying they never met with such civil soldiers."[2]

The King irresolute.

July 19. News from Scotland.

Under the evil news which came so thickly upon him, Charles's resolution waxed and waned from day to day,[3] whilst he was listening to counsellors of war or peace, as indignation or fear predominated in his mind. On the 19th news arrived from the North that the Scots contemplated the seizure of Newcastle. Once in possession of the collieries there, they would be able to dictate

[1] Gibson to Conway, July 14. Byron's relation, July 14. Byron to Conway, July 20. Deputy-Lieutenants of Devon to the Council, July 21, *S. P. Dom.* cccclx. 5, 50, 52.

[2] F. Windebank to Windebank, July 19, *ibid.* cccclx. 46.

[3] "Ad ogni modo provocata la M^tà sua dall' ardore della propria indignatione in vedersi ogni giorno più offesa da nuove cause, confusa nell' istessime risolutioni, viva piena di perplessità in appigliarsi all' ultimo partito, per non sapere il migliore." Rossetti to Barberini, $\frac{\text{July } 24}{\text{Aug. } 3}$, *R. O. Transcripts.*

their own terms, as London could not endure the deprivation of the supply of coal.[1] Charles saw in this intelligence the means of working upon the Londoners through their interests. On the 22nd the Lord Mayor was ordered to summon a Common Council for the following day. On the 23rd Cottington and Vane appeared in the City, the bearers of a letter from the King, in which assurances were given that if the long-asked-for loan of 200,000*l.* were now agreed to, nothing more should be heard of the debasement of the coinage. Leaving the Common Council to discuss the demand, the Privy Councillors amused themselves by strolling through the Cloth Exchange at Blackwell Hall. The owners of cloth gathered quickly round them. They hoped, they said, that they were not to be compelled to sell, for copper, goods for which sterling silver had been paid. After a debate of an hour and a half Cottington and Vane were re-admitted, to be informed that the Common Council had no power to dispose of the money of the citizens.

July 23. Cottington and Vane in the City.

The loan again refused.

Charles was highly displeased with the stiff-necked obstinacy of the City. He at once ordered the officers of the Mint to proceed with the coinage. A scheme was prepared by which it was hoped to obviate the worst consequences of that measure. For the sake of the poor, all payments below the value of half-a-crown were still to be made in good silver. One-tenth of all payments above that sum were to be made in the new copper money. As soon as this arrangement was announced men engaged in business drily remarked that in that case there would be a general rise of 10 per cent. in their prices. Again Charles hesitated, and the plan was once more thrown over for further consideration. He reaped all the unpopularity of his proposal without any of the advantages which he might have derived from prompt and unscrupulous action.[2]

The debasement of the coinage to proceed.

Whilst Cottington and Vane were pleading to no purpose

[1] Fenwick to Digby, July 15, *S. P. Dom.* ccccl x. 14.

[2] Rossingham's *News-Letter*, July 27, *ibid.* ccccl xi. 32.

with the Londoners, Strafford was pleading equally in vain with the Spanish ambassadors. Almost imploringly the proud and haughty minister adjured the Spaniards to come to his aid. If the proposed league and the consequent advance of 300,000*l.* was not at once to be obtained, would they not lend his master 150,000*l.* in his present straits, and defer the remainder till after the signature of the league? If even that was not to be had, he would content himself with 100,000*l.*, half to be paid at the end of the month, and half three or four weeks later. He would give his personal security for its repayment in November. The Spaniards replied that they had no orders to lend the money, but added a general assurance of their master's goodwill, which can hardly have conveyed much satisfaction to Strafford.[1] Almost at the same time, Cottington was making application to the French agent for a loan of 400,000*l.* It is hardly necessary to add that the request did not meet with a favourable reply.[2]

Fresh efforts to obtain a loan from Spain.

Similar application to France.

The Queen, too, had her share of disappointment; the reply to the request which had been made in her name, in the height of the tumults in May, arrived from Rome. The answer was plain enough. If Charles would become a Catholic, he should have both men and money. Six or eight thousand soldiers, who would serve the King to their last breath, would be sent in vessels which would arrive under the pretext of fetching alum. Unless he became a Catholic it was impossible to do anything for him.[3]

The Pope will not lend.

The complete failure to obtain money increased the difficulty of keeping order among the soldiers. So far had the distrust of the English army gone that it was seriously proposed to levy two regiments of Danish horse, and to bring them into England to keep order

Proposal to bring in Danish soldiers.

[1] Velada, Malvezzi, and Cardenas to Philip IV., $\frac{\text{July } 23}{\text{Aug. } 2}$, *Brussels MSS.* Sec. Esp. cclxxxv. fol. 47.

[2] Montreuil's despatch, $\frac{\text{July } 30}{\text{Aug. } 9}$, *Bibl. Nat.* Fr. 15,995, fol. 104.

[3] Barberini to Rossetti, June $\frac{20}{30}$. Rossetti to Barberini, $\frac{\text{July } 31}{\text{Aug. } 10}$, *R. O. Transcripts.*

amongst the mutineers; and this project was only abandoned through the absolute impossibility of finding the money for the levy.[1]

If Danish soldiers were not to be had, at least the English officers might be empowered to execute martial law. "You may now hang with more authority," wrote Northumberland in forwarding these instructions to Conway; "but, to make all sure, a pardon must come at last." The whole expenditure on the forces, he added, till the end of October, would be 300,000*l.*, 'towards which we have not in cash nor in view above 20,000*l.* at the most. If some speedy way be not found to get the rest presently, I do not think that I shall pass the Trent this year.'[2]

July 25. Martial law to be executed.

In the eastern counties the unruliness of the soldiers assumed a new form. At Bocking the clergyman was so ill-advised as to attempt to propitiate the men by the gift of a barrel of beer and fifty shillings. They took his money and his beer, got drunk, and rushed into the church. There they pulled up the communion-rails, brought them out and made a bonfire with them in the street. In various other places in Essex churches were invaded and the communion-rails pulled down. At Penfield, near Braintree, and at Icklington in Cambridgeshire, the minister was chased out of the parish.[3]

Communion-rails pulled down.

At the back of this ill news came a great petition from the

[1] Giustinian to the Doge, $\frac{\text{July 24}}{\text{Aug. 3}}$, *Ven. Transcripts.* That this was so is shown by the instructions given on Aug. 6 by Christian IV. to his ambassadors Ulfeld and Krabbe. They were to propose to Charles the cession of the Orkneys to Denmark, either for money or for hired soldiers, as Christian had heard from General King of Charles's wish to have soldiers from Denmark. When the ambassadors arrived it was too late, and they said nothing of the Orkneys, and Charles was equally silent about the soldiers. This information has been kindly communicated to me by Dr. Fridericia from the Copenhagen archives. See his *Danmarks ydre politiske Historie*, 1635–1645, p. 258.

[2] Northumberland to Conway, July 25, *S. P. Dom.* cccclxi. 16.

[3] Maynard to the Council, July 27. Warwick to Vane, July 27, *ibid.* cccclxi. 23, 24.

gentlemen of Yorkshire. Not only did they complain of the violence of the soldiery quartered amongst them, but they proceeded to say that the billeting of these men in their houses was a breach of the Petition of Right.

July 28. The Yorkshire petition.

The petition was presented to the King at Oatlands on the 30th. Strafford would have had it rejected as an act of mutiny in the face of approaching invasion.[1] His daring spirit never quailed, but he could no longer inspire his fellow-councillors with his own audacity. To them the case, as well it might, seemed altogether desperate. Peace—they thought, must now be bought at any price. Roe, the opponent of the debasement of the coinage, was to carry the news to the City that negotiations were to be opened, and to ask once more for a loan, which it was fondly hoped would be readily granted, as the money was needed to pay off the soldiers, and not for purposes of war.

July 30. It is presented to the King.

Negotiations to be opened.

Roe went to Guildhall as he was bidden, but he went in vain. He was told that grants of money were matters for Parliaments, and not for the citizens of London. As for themselves they were quite unable to find the money, the Londonderry plantation having 'consumed their stocks.'[2]

The City again refuses to lend.

If it was unlikely that the Londoners would place confidence in the honeyed words of the King now that he was in such desperate straits, it was still less likely that, after the experience of the pacification of Berwick, the Scots would reopen a negotiation which took no account of their present demands, and which, even if it gave them all for which they asked, might be subsequently explained away by whatever interpretation it might please Charles to place upon his words. They had long ago made up their minds that a lasting peace could only be attained after an invasion of England, and that it would be necessary to come to an understanding not

War inevitable.

[1] *Rushworth*, iii. 1214.

[2] Rossingham's *News-Letter*, Aug. 4, *S. P. Dom.* ccclxiii. 33. Monstreuil's despatch, Aug. $\frac{6}{16}$, *Bibl. Nat.* Fr. 15,995, fol. 107. Giustinian to the Doge, Aug. $\frac{7}{17}$, *Ven. Transcripts R. O.*

with the King alone, but with an English Parliament. Every piece of intelligence which reached them from the South must have convinced them that they had no longer, as in 1639, to fear a national resistance. The circumstances of the dissolution of the late Parliament, together with the growth of the belief in the existence of a gigantic 'Popish plot,' had put an end to that. Personages of note and eminence had entered into communication with their commissioners, and had given them assurances, which they had no reason to doubt, that Parliament, if it met, would take up their cause, and would refuse to grant a sixpence to the King unless he consented to put an end to the war.[1] If nothing had passed since, the knowledge of the emptiness of the exchequer, of the growing resistance to the various attempts which had been made to wring money from Englishmen, and of the mutinous temper in which the troops were marching northwards, must have convinced the Covenanting leaders that the time had now arrived in which they might strike hard without fear of consequences.

There can be little doubt, indeed, that secret messages had passed between the Scots and the English leaders. Before Loudoun had left London he had been in communication with Lord Savile, the son of Strafford's old rival, who had inherited the personal antipathies of his father, and whose hatred of Strafford placed him by the side of men of higher aims than his own. To him, as the recognised organ of the English malcontents, Johnston of Warriston addressed a letter on June 23, just at the moment when Leslie's army was first gathering at Leith. After expressing the not unnatural desire of the Scottish leaders for a definite understanding with the English nobility, it asked for an extension of the National Covenant in some form to England, in order that the Scots might distinguish friends from foes, and for a special engagement from some principal persons that they would join the invading army on its entrance into Northumberland, or would send money for its support.

Communications between the Scots and the English leaders.

June 23. Johnston's letter to Savile.

[1] The communications through Frost, noticed by Burnet (*Hist. of Own Times*, i. 27) seem to relate to the period before the Short Parliament.

This letter passed through Loudoun's hands, and the answer was forwarded by Savile some days after the Scottish nobleman had set out on his return. It was signed by Bedford, Essex, Brooke, Warwick, Saye, Mandeville, and Savile himself. It contained a distinct refusal to commit a treasonable act, and an assurance that the English who had stood by the Scots in the last Parliament would continue to stand by them in a legal and honourable way. Their enemies were one, their interest was one, their end was one, 'a free Parliament,' to try all offenders and to settle religion and liberty. This letter failed to give satisfaction in Scotland. Nor was its deficiency likely to be supplied by an accompanying letter, full of the most unqualified offers of aid from Savile himself. The Scots pressed for an open declaration and engagement in their favour. Towards the end of July, or early in August, Savile sent them what they wanted. He forged the signatures of the peers with such skill that, when the document was afterwards submitted to their inspection, not one of them was able to point out a single turn of the pen by which the forgery might have been detected.[1]

July 8. Answer of the Peers.

Savile's forged engagement.

[1] I have probably surprised many of my readers by the facility with which I have accepted as genuine the letters printed by Oldmixon (*Hist. of Engl.* 141). Oldmixon's character for truthfulness stands so very low that historians have been quite satisfied to treat the letters as a forgery. The internal evidence of their authenticity is, however, very strong. The letters which he ascribes to Johnston, to the Peers, and to Savile, are written in so distinct a style, and that style is so evidently appropriate to the character and position of the writers, as to require in a forger very high art indeed—art which there is nothing to lead us to suppose that Oldmixon possessed. The allusions to passing events cannot all be tested, but none of those which I have succeeded in testing are incorrect. The prediction, indeed, that the troops would be on the Borders on July 10 anticipated reality by ten days; but this is just the mistake which Johnston, writing before the event, would be likely to make, and which a skilful forger would avoid. On the other hand, the strongest evidence in favour of the letters is derived from the argument by which Disraeli satisfied himself of their supposititious character. He asks how Oldmixon came to place the seven names at the end of the Peers' letter, when he assures us that those names were cut out from the original? My answer to this is that the letter produced by Oldmixon is not what he alleges it to be. The story of cutting out the names is

Encouraged by these communications, Leslie had in July taken up his post in Choicelee Wood, about four miles from

borrowed by him from Nalson (ii. 428). There can, however, be no doubt that the paper described by Nalson was that forged by Savile, namely, the declaration and engagement on the faith of which the Scots said they had invaded England, and which they alleged to have been broken by the English lords. The letter in Oldmixon contains no engagement which those lords did not fulfil. The forged letter must therefore have been entirely different from the one given by Oldmixon. Nalson's evidence, it may be remarked, is here of the highest authority, being, as has been noticed by Ranke (ii. 397) an extract from the memoirs of the Earl of Manchester, who, as Lord Mandeville, was one of those whose signatures were forged. On the hypothesis that the letters were Oldmixon's forgery, we have to face the enormous difficulty that, after producing letters so wonderfully deceptive as the others were he did not take the precaution of forging one from the Peers which would bear the slightest resemblance to the description which he has himself given of it. On my hypothesis everything is easily explained. Oldmixon met with the letters either in the original or in copy. Being either careless or dishonest, or both, he was not content to give them simply for what they were, but must needs give them out for the lost engagement for which Charles sought in vain. The dates, too, as we have them, support this view. The Peers' letter is said to have been sent off from Yorkshire on July 8, about ten days after Loudoun left London. Manchester, in his *Memoirs*, says that the engagement was sent after Loudoun had been released, and had been some few weeks in Scotland. I would add that Henry Darley, the reputed bearer, was in York on July 28, signing the Yorkshire Petition, and it would be likely enough that Savile was encouraged to the forgery by the temper of the signers of that petition. If so, Darley's journey would be, as I have suggested, towards the end of July or the beginning of August. Further, Darley was arrested by a warrant from Strafford, dated Sept. 20, and confined in York Castle, till he was liberated by the Long Parliament (*Lords' Journals*, iv. 100, *Hist. MSS. Com. Rep.* iv. 30). The only piece of internal evidence against these letters is the reference to Lord Wariston, before he had gained that title as a Lord of Session. He was, however, a Scotch laird, and a Scotch laird might easily pass into a Lord in an English letter, his official title being that of Baron. For Savile's acknowledgment of the forgery, see p. 210. Since this note was written Mr. O. Airy has informed me that a copy of Oldmixon, now in the Birmingham Library, but formerly belonging to Arthur Onslow, the Speaker, has the following note: "The author (Oldmixon) had these letters, as I have reason to believe, from Mr. Johnston of Twittenham (Secretary of State for Scotland to King William), who was son of the Lord Warriston now mentioned. Mr. Johnston once showed me some letters that seemed to be of the handwriting of that age, which he told me

Dunse.[1] He, too, had difficulty in obtaining money and provisions for his army, and for some weeks he was obliged to content himself with keeping a small force upon the Borders till supplies came in sufficient quantities to enable him to gather his whole army for the projected invasion. Nor were political diversions wanting to add to his distraction. The huge Committee of Estates was but a cumbrous substitute for a Government; and, as the prospect of a reconciliation with Charles melted away, the Covenanters can hardly be blamed for looking around for some temporary form of executive which would give unity of control to their actions. Naturally the name of Argyle was uppermost in their thoughts, and plans were discussed, in one of which it was proposed to constitute him dictator of the whole country, whilst in another he was to rule with unlimited sway to the north of the Forth and two other noblemen were to receive in charge the southern counties.

Leslie near Dunse.

Plan of a dictatorship.

To such a scheme Montrose declared himself bitterly hostile. He was still under the delusion that it was possible to establish an orderly constitutional and Presbyterian government, with Charles at its head. Whether this notion were wise or foolish, it was shared, at least in theory, by a large majority of his countrymen, and when he entered into a bond with eighteen other noblemen or gentlemen to protest against 'the particular and direct practising of a few,' and to defend the Covenant within the bounds of loyalty to Charles, he only said plainly what few of his countrymen would have cared openly to deny. This Bond of Cumbernauld, as it was called, took but a sentimental view of the position of affairs. Scotland is, however, a land in which sentiment is peculiarly strong, as long as it does not require the positive neglect of the

August. The Bond of Cumbernauld.

relate l to the subject that these are upon. I have now (7 Novr. 1742) these letters in my custody, and had them from the son of Secretary Johnston. What authority the writer of this history had for the names of the seven lords to the second letter here printed I do not know, unless he took them from an endorsement in Secretary Johnston's handwriting on the copy of that letter, which I also have, and the endorsement does mention these names, and only them. In the original the subscription is cut out, as this author says.—A. O."

[1] Outside the wood is a spot marked as Camp Moor on the Ordnance Map.

hard facts of daily life. Amongst the signers of the Bond were such undoubted Covenanters as the Earl Marischal, who had been joined with Montrose in his attacks upon Aberdeen, the Earl of Mar, to whose keeping Stirling Castle had been entrusted by the national government, and Lord Almond, who was at that time second in command of the army destined for the invasion of England. The Bond itself was kept secret, but the feelings which prompted its signature were well known. In the face of this opposition it was impossible to persist in establishing a new Government, which would have shocked the conscience of the nation. It was arranged that half the Committee of Estates should remain at Edinburgh, whilst the other half should accompany the army to the field. It would be time enough to settle what the future constitution of Scotland was to be when the objects of the invasion had been attained. In the policy of the invasion itself both parties were agreed.[1]

The English commanders do not expect an invasion.

The small number of the forces on the Borders, combined with the rumours of want of money, deceived the English commanders. Up to August 10 Conyers and Erneley from Berwick, and Conway from Newcastle, reported constantly that no invasion was to be expected, and that at most a mere foraging raid was intended.[2] At Court the truth was better understood. The Scottish nobility and clergy who had taken refuge there had friends in Scotland who took care to keep them properly informed of passing events.[3] But the knowledge of the danger did not make it any the easier to resist it. There was the old vacillation in Charles's mind. One day, orders were given to disband the regiments which had been told off to serve under Hamilton, because it was understood that the men would break out into mutiny rather than set foot on board ship. Another day orders were given to bring them

Vacillation at Court.

[1] Napier, *Memoirs of Montrose*, i. 262. *Memorials of Montrose*, i. 183, 254.

[2] Conway to Northumberland, July 28. Conyers to Windebank, July 29. Conyers to Conway, Aug. 4. Erneley to Windebank, Aug. 5, *S. P. Dom.* ccccli. 58, ccccIxi. 40, ccccIxiii. 31, 39.

[3] Vane to Conway, Aug. 3, *Clar. S. P.* ii. 101.

back to their colours. The preparations for coinage of base money were suspended, without being absolutely countermanded. A fresh attempt to obtain a loan from the City companies separately having broken down, the French and Dutch merchants residing in London were asked, with equal want of success, for a small loan of 20,000*l.*[1]

Amidst all this matter of confusion, Strafford felt the ground slipping away beneath his feet. To what purpose had he placed himself in the forefront of the battle, had bullied aldermen, and cried out for the enforcement of ship-money and coat-and-conduct money, if none of the things which he recommended had been really done? Except in himself 'thorough' was nowhere to be found. A bewildered king, a commander-in-chief who had no heart for the war, officials who shrank from the responsibility of illegal action—these were the instruments which he found to his hand at the time when, as he firmly believed, the whole future well-being of his country was at stake. Whatever was to be done he must do it alone in spite of Charles, if it could not be done otherwise On one part of the world alone could he look with satisfaction. The Irish army was not mutinous and disorderly like the English peasants. The infantry was already at Carrickfergus. The cavalry had not yet gathered to its rendezvous, but it was ready to rise on a word from him. In the first week of August he had purposed to cross the Irish Sea.[2] Once in Ireland he would be free from the trammels of courtiers and the weakness of a man whom he had seen too closely to respect him as he had respected him from a distance. At least, that master had had no hesitation in giving him full power over his Irish forces. With dangers gathering thickly around him in England, the old idea of using that trusted soldiery to compel obedience elsewhere than in Scotland took formal shape in the patent by which the command was entrusted to Strafford. He was to be 'Captain-General over

Strafford deserted.

The Irish army.

Aug. 3. Strafford's patent giving him power to suppress sedition in England.

[1] Northumberland to Conway, Aug. 11, *S. P. Dom.* ccccxiii. 71. Joachimi to the States-General, Aug. $\frac{11}{21}$, *Add. MSS.* 17,677 Q, fol. 225.

[2] Wandesford to Ormond, Aug. 25, *Carte MSS.* i. 240.

the army in Ireland, and of such in England as the King by his sign manual shall add thereunto, to resist all invasions and seditious attempts in England, Ireland, and Wales, and to be led into Scotland, there to invade, kill, and slay.' These troops he might conduct into 'any of the King's dominions with power to suppress rebellions or commotions within any of the three kingdoms or Wales.'[1]

His fresh demand for a Spanish loan.

The patent was indeed but a copy, with unimportant alterations, of the patent which had been granted to Northumberland.[2] But it can hardly be doubted that if need had arisen Strafford would have been ready to take advantage of its widest terms. Yet, what were soldiers without money? Once more, on the 8th, Strafford pressed the Spanish ambassadors for an instant loan. His demand for 300,000*l.* had sunk to 100,000*l.* a fortnight before. Now he declared that he would be well content with 50,000*l.* If the Cardinal Infant would lend that, he should have the whole of the Irish Customs as his security, and should be allowed to levy 6,000 Irishmen for the Spanish service, and to hire twenty English ships to reinforce the Spanish fleet in the coming spring. The ambassadors recommended the Cardinal Infant to comply with the request.[3] Events were, however, hurrying on rapidly in England, and it might be too late before the answer came.

Into Strafford's inner soul during these distracting months it is impossible to penetrate. Save by fierce expressions of contempt, he never betrayed his chagrin. His hard destiny had yet to be fulfilled. He had built the edifice of his hopes on the shifting sand. He had misconceived the conditions of political life in the England of his day, and facts were already taking upon him their terrible revenge.

Not yet had the iron entered into his soul as it was to enter in the coming weeks. On August 10 Conway at last convinced

[1] An Abstract of Strafford's Patent, Aug. 3, *Carte MSS.* i. 240.

[2] Strafford's Patent, Aug. 3, *ibid.* i. 397.

[3] Velada, Malvezzi, and Cardenas to the Cardinal Infant, Aug. $\frac{8}{18}$, *Brussels MSS. Sec. Esp.* cclxxxv. fol. 149.

himself that an invasion in force was imminent. Conway was a brave and tried soldier, but he was not the man to uphold a sinking State. Strafford, in his place, would have seized upon an authority which was not lawfully his, and, by threats and encouragements, would long ago have fortified Newcastle. Conway had remonstrated that the place was in danger, and when he was told that he could have no money for the fortifications, had quietly acquiesced in his helplessness. He now wrote a doleful letter to Northumberland. Newcastle, he said, was utterly indefensible. At the utmost it might be guarded for a day or two. He had written to Astley to send him men from Selby, but men without money would ruin the country worse than the Scots. He had also written to Sir Edward Osborne, Strafford's vice-president of the Council of the North, to put the Yorkshire trained bands in readiness, and to inform him how the country and the gentry stood affected. With his scanty numbers it was impossible for him to do anything against a whole army.[1]

Aug. 10. Conway learns that an invasion is imminent.

Astley could do little to help. By the 11th, 12,800 men had arrived at Selby, about half the number with which the Scots were preparing to cross the Tweed, and of these 3,000 were entirely unarmed. All depended on the supply of money. The week before there had been a mutiny for want of pay, and a soldier had been hanged by martial law. Osborne's reply was equally discouraging. The Yorkshire trained bands were completely disorganised. Arms which had been lost in the last campaign had never been replaced. Four colonelcies were vacant, and it was impossible to find men in the country fit to fill them, 'who stood rightly affected as to his Majesty's service.' If the men were called out, the gentry would refuse to lead them out of their own country. "I am persuaded," wrote the Vice-President, "if Hannibal were at our gates some had rather open them than keep him out. . . . I think the Scots had better advance a good way into Northumberland without resistance than we send this army to encounter them without

Aug. 11. State of the forces in the North.

Aug 14. Feeling in Yorkshire.

[1] Conway to Northumberland, Aug. 10, *Clar. S. P.* ii. 102.

pay; for then, without all question, they will prove more ravenous upon the country than the Scots, who, for their own ends and to gain a party here, I believe will give the country all the fair quarter that may be, which our men neither can nor will do."[1]

Confusion at Whitehall.

An invasion welcomed by a large part of his subjects, and regarded with indifference by the rest—such was the pass to which Charles had been brought by eleven years of wilful government. Everywhere there was lukewarmness and ill-will.[2] The attacks upon the communion-rails had spread from Essex to Hertfordshire. Laity and clergy were of one mind in protesting against the oath enjoined by the new canons. At Whitehall everything was in confusion. Northumberland vowed that if he was to take the command he would not go without money.[3] Now that it was too late, pressing orders were sent to Conway to fortify Newcastle by the forced labour of the townsmen.[4]

Scottish manifestoes.

The coming of the Scots was preceded by two manifestoes—one in the shape of a broadside for popular distribution, the other as a small pamphlet for more leisurely perusal. The Scots protested that the matter must at last be brought to an issue. They could not afford to continue in arms during interminable negotiations. They were therefore coming to England to obtain redress of grievances from the King. But, with all respectful language towards Charles, they made it clear that it was not from him, but from a Parliament, that they expected redress. The last Parliament had refused to assist him to make war on Scotland. The next one would bring to justice Laud and Strafford, the instigators of the evil policy which had been pursued, and would relegate the Scottish councillors who had been guilty of a like fault to a trial in

[1] Astley to Conway, Aug. 11, 13, *S. P. Dom.* ccccIxiii. 73, 93. Osborne to Conway, Aug. 14, *Clar. S. P.* ii. 105.

[2] Salisbury to Windebank, Aug. 13; G. Beare to W. Beare, Aug. 13, *S. P. Dom.* ccccIxiii. 90, 98.

[3] Montreuil's despatches, Aug. $\frac{13}{23}$, *Bibl. Nat.* Fr. 15,995, fol. 109.

[4] Astley to Conway, Aug. 11, 13, *S. P. Dom.* ccccIxiii. 73, 93 Osborne to Conway, Aug. 14. *Clar. S. P.* ii. 105.

their own country by the laws of Scotland. The invading army would do no man any wrong, would shed no blood unless it were attacked, and would pay ready money for all the supplies which it consumed.[1]

Charles's policy of using English forces against Scotland was recoiling on his own head. Both nations were alike sick of his misgovernment. The practical union of the Crowns would prove but a feeble link in comparison with the union of the peoples. The Scots had appealed from the English King to the English Parliament.

Appeal to Parliament.

Copies of the Scottish manifesto were circulated in London on the 12th.[2] Charles was never wanting in personal bravery At a council held on the 16th, he announced his intention of going in person to York, to place himself at the head of his disordered army. He would listen to no objections. In vain Hamilton suggested that an army ill-affected and ill-paid might not be the better for the King's presence. In vain Holland asked whether the King would have any money when he arrived. In vain, too, Strafford, refusing to believe in the reality of the risk, and thinking that a Scottish invasion would stir England into loyalty, declared that he was not satisfied that Newcastle was in danger, and that if the Scots came in 'it would not be the worse for his Majesty's service.' Charles rightly felt that the post of honour was in the North. Only by appearing in person could he prove the untruth of the statement in the Scottish manifesto, that what had been done had been done by evil counsellors rather than by himself.[3]

Aug. 12. The manifesto in London.

Aug. 16. The King announces that he will go to York.

The next few days were spent in preparation. On the 17th a sharp answer was returned to the Yorkshire petition,[4] criticising its inaccuracies, and explaining that the Petition of Right was never intended to do more than to enact that soldiers billeted should pay for

Aug. 17. Answer to the Yorkshire petition.

[1] Information from the Scottish nation, *Treaty of Ripon*, 70. The intentions of the army, *Spalding*, i. 321.

[2] Montreuil's despatch, Aug. $\frac{13}{23}$, *Bibl. Nat.* Fr. 15,995, fol. 109.

[3] Minutes of Council, Aug. 16, *Hardwicke S. P.* ii. 147.

[4] Page 177.

the provisions they consumed.[1] This loose interpretation of the duties which he owed to his subjects did not prevent Charles from holding his subjects to the very letter of the law towards himself. On the 19th he issued orders to the lords-lieutenants of the midland and northern counties to call out the trained bands for immediate service. On the 20th, he directed that all persons holding by knight's service should follow him to the field, as their tenures bound them to do, though he added he was ready to accept fines in lieu of service.[2] The now familiar order to the sheriffs to pay in the arrears of ship-money was once more issued. To prevent further ill-feeling during the King's absence on the ground of the etcetera oath, Laud was directed to suspend its administration till October.[3]

Aug. 19. The trained bands called out.

Aug. 20. Tenants in knight service summoned.

For the army thus hurriedly ordered to be got together it was now necessary to find a commander. Northumberland had always been hopeless of any good result, and his health had by this time broken down under the strain.[4] There was but one man capable of occupying the post. With the title of Lieutenant-General, Strafford was to be placed at the head of the English army. It was finally arranged that Hamilton's mutinous men should be disbanded.[5]

Strafford to command the English army.

The Irish army was to be left to shift for itself. The ruin in the North was to be left for Strafford to deal with as best he might.

Not that Strafford was in any way despondent. He utterly refused to believe that Newcastle was indefensible, or that the trained bands of the North would not rally to the King when once he was amongst them.[6]

[1] Privy Council to the Council of York, Aug. 17, *S. P. Dom.* ccccl xiv. 17.

[2] The King to the Lords-Lieutenants of certain counties, Aug. 19, *S. P. Dom.* Proclamation, Aug. 20, *Rymer*, xx. 433.

[3] *Hardwicke S. P.* ii. 151.

[4] It has often been suspected that this illness was a feint to escape the responsibility of commanding; but the letters amongst the *State Papers* leave no doubt of its reality. See especially Garrard to Conway, Oct. 6, *S. P. Dom.*

[5] Windebank's Notes, Aug. 29, *S. P. Dom.* ccccl xiv. 45.

[6] Strafford to Conway, Aug. 18, *ibid.* ccccl xiv. 27.

On the morning of the 20th the King set out from London. That night the Scottish army, some 25,000 strong, crossed the Tweed at Coldstream. Montrose was the first to plunge into the river to lead the way.[1] Leaving the garrison of Berwick on their flank, the Scots pushed steadily on. They issued a proclamation assuring the men of Northumberland that they would not take a chicken or a pot of ale without paying for it. They brought with them cattle and sheep for their immediate necessities. Spectators who watched the blue-bonneted host as it passed, wondered at its discipline, and stared at the Highlanders with their bows and arrows. Strafford, when all military force appeared to be melting away, had encouraged himself with the hope that an invasion would open the eyes of his countrymen in the North to the reality of their danger. In Northumberland at least no such result was visible. "They," wrote Conway of the Scots, "deal very subtility. They hurt no man in any kind, they pay for what they take, so that the country doth give them all the assistance it can. Many of the country gentlemen do come to them, entertain and feast them."[2] The calculated courtesy of the Scots was not without its exceptions. Estates of recusants, with the lands of the Bishop and Chapter of Durham, were regarded as lawful prey, to which no mercy was to be shown.

The King sets out.

The Scots cross the Tweed.

Feeling in Northumberland.

In London, after the King had left, everything was in confusion. "We are here, and in every place," wrote Sir Nicholas Byron, "in such distraction as if the day of judgment were hourly expected."[3] Charles's system of government had not been such as to gather round him men capable of taking the initiative in moments of peril. The Council was at its wits' end. The City, once more applied to, persisted in its refusal of a loan.[4] At last an expedient was

Aug. 21. Confusion in London.

[1] *Baillie*, i. 256.

[2] Conyers to Conway, Aug. 21; Conway to Vane, Aug. 22, 26, *S. P. Dom.* cccclxiv. 60, 61, 84.

[3] Byron to Conway, Aug. 21; Conway to Vane, Aug. 21, *S. P. Dom.* cccclxiv. 63.

[4] Windebank's Notes of Business, Aug. 22, *S. P. Dom.* cccclxiv. 45.

thought of which offered some relief for the immediate necessity. It was known that the East India Company had just received a large consignment of pepper. On the 22nd Cottington appeared before the Company and offered to buy the whole at a price above that at which it was immediately saleable. The Company refused to deal with the King, but they agreed to accept the substantial securities of private persons for the payment of the money by instalments within a year. The general result was that by the end of the month Cottington saw his way to the receipt of 50,000*l.*, advanced upon interest at the rate of 16 per cent., about double the rate at which money was usually attainable.[1]

Aug. 22. Money to be raised on pepper.

It might well be doubted whether even this provision would arrive in time. When the King reached York on the 23rd, his first thought was to urge upon the Council his need of money. "Certainly," he wrote on the 27th, "if ye send us none or little, the rebels will beat us without striking a stroke."[2] Amidst the universal discouragement, Strafford's voice was alone raised in calm assurance. The actual invasion of the Scots, he said, was more to the King's advantage 'than should have been had we been the aggressors.' The English army, too, would be at Newcastle before the Scots, 'and so secure the place.'[3]

Aug. 23. The King at York.

Aug. 24. Strafford's confidence.

If Strafford was over-sanguine, his hopes were not entirely without foundation. The county of Durham offered to turn out its trained bands, and to send 2,000 men to defend the fords of the Tyne. On the 24th the King collected round him the lords and gentry of Yorkshire, and adjured them to form a second line of defence on the Tees. In the presence of their sovereign the gentlemen of Yorkshire laid aside their grievances for a time, and offered to follow where he should lead, within the county, on the receipt of a fortnight's pay. "I must tell you," wrote Vane,

The Durham and Yorkshire trained bands.

[1] *E. I. C. Court Minutes*, Aug. 22, 26. Warrant, March (?), 1641, *S. P. Dom.*

[2] The King to Windebank, Aug. 23, 27, *Clar. S. P.* ii. 91, 92.

[3] Strafford to Cottington, Aug. 24, *S. P. Dom.* ccccIxiv. 86.

"had not his Majesty been in person, I do not conceive it had been possible to have induced this county to have risen by any other means, so great was the distemper when his Majesty arrived here ; and by this you see that the person of a king is always worth 20,000 men at a pinch." Encouraged by the example of Yorkshire, Charles ordered that the nine counties lying nearest to the southern border of that county should be summoned to send their trained bands to the common defence.[1] In the meanwhile, the Council was not idle in London. So great did the danger appear that they appointed Cottington Constable of the Tower, to prepare that fortress to stand a siege. Arundel was appointed Captain-General of all his Majesty's forces to the south of the Trent, and was directed to put into execution the Commission of Array, calling out all able-bodied men for the defence of the country.[2]

It was all too late. Time would in any case have been needed to weld these heterogeneous elements into a disciplined army, and time was not even allowed to unite the forces which Charles already had at his disposal. The Scots were hastening their march, in spite of the heavy rains which had soaked the roads and impeded their progress. Over the King's army there was no commander present except himself. Strafford had been delayed by necessary preparations in London, and had been overtaken at Huntingdon by an attack of his old disease. In spite of failing health he pushed on to the scene of duty. On the 27th he was at the King's side at York, adjuring the Yorkshire gentry to give up their demand of a fortnight's pay. They were bound by their allegiance, he said, to follow his Majesty to resist invasion at their own cost ; 'bound,' he repeated, 'by the common law of England, by the law of nature, and by the law of reason.' They were no better than beasts if they now hung back.[3]

Time wanting to the King.

Aug. 27. Strafford's appeal to Yorkshire.

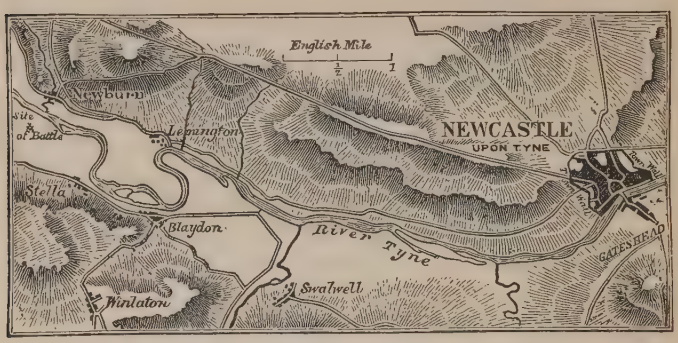
[1] Yorkshire Petition, Aug. 24, *Rushworth*, iii. 1231. Vane to Windebank, Aug. 25, *S. P. Dom.* cccclxiv. 95.

[2] Windebank's Notes, Aug. 25, 26, *S. P. Dom.* cccclxiv. 94. Order for the Commission of Array, Aug. 26, *Rushworth*, iii. 1233.

[3] Strafford's speech, Aug. 27, *Rushworth*, ii. 1235.

Worn out by fatigue and disease, Strafford had made his last effort for a time. He would gladly have hurried to the front, but his bodily weakness chained him to York. Racked with pain, he sent off an impatient letter to Conway, bidding him to defend the passage of the Tyne at any cost.[1]

Urges Conway to defend the Tyne.



When Strafford's letter reached Conway it found him in no mood to attempt anything heroic. Having been on the spot for some months, he had taken a truer measure of the military position than could be taken by anyone in London. Astley had hurried up to Newcastle, where for some days the inhabitants had been labouring hard at the necessary fortifications. Yet there was no chance that the work would be completed before the Scots arrived, and Conway was totally unprepared to meet the enemy in the field. It is true that by this time the two armies were about equal in numbers; but even if the quality of the two forces had been equal, the Royal army was too scattered to make resistance. Twelve thousand foot and five hundred horse were with the King at York. Ten thousand foot and two thousand horse were with Conway and Astley at Newcastle. If the Scots succeeded in crossing the Tyne, not only would the English army be cut in two, but as Gateshead was still

Aug. 27. Conway despairs.

[1] Strafford to Conway, Aug. 27, *Clar. S. P.* ii. 107.

unfortified, Conway's troops at Newcastle would be entirely at the mercy of the enemy.[1]

Strafford's advice was the best possible under circumstances which admitted of none that was good. He recommended Conway to lead out the bulk of his forces to stop the passage of the Tyne.[2] The suggestion reached Conway too late; like most weak men, that officer was attempting to gain two incompatible objects at the same time. He divided his army into two parts. About two-thirds he left to garrison Newcastle, though he was perfectly aware that the town was open to the south. With the other third, about 3,000 foot and 1,500 horse,[3] he marched out on the evening of the 27th, to hold the ford at Newburn, some four miles above Newcastle.

Strafford's advice.

Conway's dispositions.

The Tyne at Newcastle is a tidal river, only passable at low water. Low tide on the 28th was between three and four in the afternoon, and, as the Scots had not reached the spot on the preceding evening, Conway had some time to make his preparations. Not much that was effectual could be done. The river winds among flat meadows which lie between steep banks, rising up at a distance of about half a mile from one another. Any force placed to defend the ford would, therefore, be commanded by the northern height, which at this place slopes down to the water's edge. Yet simply, as it would seem, to avoid the charge of cowardice, Conway prepared to defend, with inadequate means, an indefensible position.[4] He threw up two small works, one close to the river, the other a little in the rear. In each of these he

Aug. 28. The ford at Newburn.

[1] Conway to Vane, Aug. 26, *S. P. Dom.* ccccixv. 3.

[2] Strafford to Conway, Aug. 27, *ibid.* ccccixv. 10. In the *Clar. S. P.* ii. 108, the force of the advice is lost by the number of the foot which Strafford wished Conway to take with him, being misprinted as 800 instead of 8,000.

[3] The numbers are variously given.

[4] I do not think it presumptuous in one without military knowledge to speak strongly on this point. In the summer of 1880 I visited the spot, and the impossibility of resistance appeared to me to be evident even to the most unpractised eye.

placed 400 men and four guns, whilst he drew up his horse at a small distance to the eastward, to be ready to charge the Scots as they reached the shore in confusion. His headquarters were at Stella, on the top of the southern height, where the remainder of his men were kept in reserve.

When the Scots arrived they occupied themselves with planting cannon in a commanding position. The English were the first to fire, but they could do but little damage from the low ground. For three hours their guns were unanswered. Then, when the tide was running low, the Scottish ordnance began to play upon them. The English bulwarks gave Conway's soldiers but little defence against the plunging shot. The raw troops, never having before seen a gun fired in anger, began to murmur against their officers. Why, they asked, had they been kept there night and day? Why had not men come from Newcastle to relieve them? At last a shot struck to the ground some of the defenders of the nearest work. The rest threw down their arms and fled.[1] The men in the other work soon followed their example.

The Scots cross the ford.

By this time the Scots had begun to cross the river. Their horse charged the English cavalry, and drove it off the level ground. Astley did his best to rally his men at the top of the hill; the Scots followed them there, and charged once more, with Leslie in person at their head. The English horse broke and fled, leaving some of their officers as prisoners in the hands of the enemy. The fugitives did not draw rein till they reached Durham. The infantry fell back on Newcastle.[2]

Defeat of the English.

To remain at Newcastle was to be caught in a trap. Early

[1] Dr. Burton (*Hist. of Scotl.* vii. 109) quoted Conway as saying, in his Narrative, that 'the soldiers were unacquainted with the cannon,' and interprets this as meaning that 'they were not aware of their existence till they opened fire.' Conway's words, as given in the *Clar. S. P.*, are, 'the soldiers were *new*, unacquainted with the cannon,' meaning that they had never been under fire before. Conway's character for discretion in posting his men in such a trap cannot be defended on the plea that he did not know that the Scots had cannon. The reports of the spies in the *State Papers* prove the contrary.

[2] *Rushworth*, iii. 1236. *Balfour*, ii. 384. *Baillie*, i. 256. Conway's

in the morning of the 29th, therefore, Conway and Astley marched out with all their force, leaving the town to its fate. Before many hours had passed, Sir William Douglas presented himself at the gate with the usual promises of good treatment. His countrymen, he said, had come to petition for their religion, their laws, and their liberties, but had brought with them a sword to defend themselves against all who might attempt to hinder them from reaching the King. They were ready to pay for all that they consumed.

Aug. 29. Newcastle abandoned.

The next morning Newcastle was occupied in force by the Scots. They seized the King's custom-house, and took for their own use the stores which had been abandoned by the retreating army.[1]

Aug. 30. Newcastle occupied by the Scots.

On the night of the 30th, Conway, having rejoined his fugitive horse, arrived with his whole force at Darlington. Strafford, who was there to receive them, wrote cheerfully to the King.[2] To his bosom friend, Sir George Radcliffe, he poured forth a wail of despair. "Pity me," he wrote from Northallerton, to which place he had gone, to put himself at the head of Conway's men, "for never came any man to so lost a business. The army altogether necessitous and unprovided of all necessaries. That part which I bring now with me from Durham, the worst I ever saw. Our horse all cowardly; the country from Berwick to York in the power of the Scots; an universal affright in all; a general disaffection to the King's service, none sensible of his dishonour. In one word, here alone to fight with all these evils, without anyone to help. God of his goodness deliver me out of this the greatest evil of my life."[3]

Conway at Darlington.

Strafford spoke truly. Not the scaffold and the raging

Narrative, *Clar. S. P.* ii. 108. Vane to Windebank, Aug. 29. Dymock to Windebank, Sept. 10, *S. P. Dom.* cccclxv. 38, cccclxvii. 6.

[1] Narrative of the Scots' entry (*S. P. Dom.* cccclxv. 59 i.) compared with Dymock's letter to Vane, quoted in the last note. The dates are difficult to make out, unless the Narrative, which is said to have been written on Aug. 29, was in reality written on the 30th.

[2] Strafford to the King, Aug. 30, *S. P. Dom.* cccclxv. 49.

[3] Strafford to Radcliffe, Sept. 1, Whitaker's *Life of Radcliffe*, 203.

crowd, thirsting for his blood, were the worst of evils. In the inexplicable and utter failure of hopes conceived with a lofty purpose, lies the tragedy of life to him who cannot humbly bend beneath the stroke, and ask, in all seriousness of purpose, whether the work which has for long years seemed to him so lofty and heroic be, indeed, other than a fabric of his own self-will.

CHAPTER XCIV.

THE TREATY OF RIPON.

STRAFFORD was not one to feel despondent long. But for the temper of the soldiers, the mere military position was even better than it had been before the rout at Newburn. There was no longer a danger of an interruption of the communication between the two divisions of the army. The Scots, indeed, had pushed on to Durham, and occupied the line of the Tees. From Durham there had been a sudden flight of the cathedral clergy, the Scottish dean, Dr. Balcanqual, who knew himself to be specially obnoxious to the invaders, as the author of the Large Declaration, being foremost in the hasty exodus, so that far into the next century the Durham boys were in the habit of greeting a breathless fugitive with scornful cries of "Run away, Dr. Boconcky."[1] But the flight of a few dignitaries of the Church could not affect the military position. The King was concentrating his forces at York, and whether he advanced to Conway, or summoned him to his assistance, the united armies would be about equal in number to that of the invaders.

Unhappily for Charles it was very far from being a question of numbers alone. The army was without heart or discipline. The nation was equally without heart or discipline. There was a widespread conviction that the cause of the invaders was the cause of the invaded as well. "I must tell you," wrote Vane to Windebank, "it is strange to see how Leslie steals the hearts of the people in these northern parts. You shall do well to think of timely remedies to

Vane's call upon Windebank.

[1] My friend, Professor Hales, pointed out to me this anecdote in Surtees' *History of Durham*.

be applied, lest the disease grow incurable, for I apprehend you are not much better in the South." A postscript added the alarming news that Leslie had already quitted Newcastle, and was pushing farther on in pursuit.[1]

Already the committee to which the government had been entrusted during the King's absence, was at its wits' end. Information was brought that Essex, Warwick, Bedford and his son Russell, Saye, Brooke, Pym, and Hampden, were in close conference in London. Such a gathering boded no good to the tranquillity of the Government. Yet the committee did not dare to attack the offending peers openly, to make them smart for it, as Strafford had said of these very men in his speech after the dissolution. Neither could they resolve to let them alone. They weakly sent Arundel to Bedford, to recommend him 'as of himself' to go back to his duties as lord-lieutenant of his own county, and they suggested to Essex, through one of his friends, that it would be well for him to offer his services to the King. The Queen, too, agreed to write him a civil letter to the same effect. Anything more that his Majesty might suggest they were ready to do.[2]

Aug. 31. Timidity of the Council.

Not by such means as this was Charles's authority to be made good. The peers and commoners who met in London, were but taking the step which they had always intended to take. In the letter forwarded by Savile in July, they had engaged to support the Scottish advance by a demand for a Parliament. That demand they now put into shape. On the 28th, the day of the rout at Newburn, they signed a petition, which was probably only a copy with slight alterations of the Remonstrance, to avoid the presentation of which the Short Parliament had been dissolved. It ran over the grievances of the military charges, of the rapine caused by disorderly soldiers, of the innovations in religion, of the increase of Popery and the employment of recusants in military commands, of the dangerous

The Opposition meeting.

Aug. 28. Petition of the Peers.

[1] Vane to Windebank, Aug. 30, *Hardwicke S. P.* ii. 164.

[2] Windebank to the King, Aug. 31, *Clar. S. P.* ii. 94.

employment of Irish and foreign forces,[1] of the urging of ship-money, of the growth of monopolies, and of the intermissions of Parliament. They then turned to the remedies. They asked that a Parliament might be summoned in which the authors and counsellors of their grievances might be brought to trial, and that negotiation might be opened for a peace with the Scots, in order that both kingdoms might be united 'against the common enemy of their reformed religion.'

The addition of the demand for the punishment of his advisers was all that the King had gained by his rejection of the terms of the Short Parliament. The petition as it stands is now known to have been the handiwork of Pym and St. John;[2] but neither Pym nor St. John affixed his signature to it. By customary usage the peers were regarded as the born counsellors of the King, and it was in that character that twelve of their number now approached the throne. To the names of six of the signatories of the letter to the Scots—Bedford, Essex, Brooke, Warwick, Saye, and Mandeville—were added those of Exeter, Hertford, Rutland, Mulgrave, Howard of Escrick, and Bolingbroke.[3] Behind these names was England itself.

The twelve peers.

Before the petition was made known, Charles had sent to his Council in London for its advice as to the steps to be taken if the Scots should disregard his shattered army and march upon London.[4] Already, before the request arrived, the Council had come to the conclusion that it was itself too weak for the burden thrust upon it. An army there must be in the South to second the efforts of the King. But where were officers to command it, or money to pay it?

Sept. 1. The Council's advice asked.

[1] Probably alluding to the Danish contingent, which was talked of then and later. See page 175.

[2] Savile to Lady Temple, Nov. 1642, *Papers relating to the Delinquency of Lord Savile*, p. 2, ed. by J. J. Cartwright in the *Camden Misc.* vol. viii.

[3] Petition of the Peers, Aug. 28, *S. P. Dom.* ccccixv. 16. The copy in *Rushworth*, which, as Ranke has pointed out, is incorrectly printed, contains the names of Bristol and Paget in the place of those of Exeter and Rutland.

[4] Vane to Windebank, Sept. 1, *S. P. Dom.*

The idea suggested itself that, as the peers had supported Charles against the Commons in the last Parliament, they might still be found on his side. It was asked whether some of the noblemen might not be won over if they were called to share in the deliberations of the Council.

The next day, when Charles's missive arrived, the notion developed itself further. The idea that it was possible to raise money any longer by prerogative was only mentioned to be rejected. Manchester suggested that not merely a few peers, but all, should be summoned. They were the born counsellors of the King. In the reign of Edward III., such an assembly, the Great Council of the Lords, had assisted the King with large sums of money, without any Parliament at all. Shrewder members of the Council urged that it would be as easy to summon Parliament at once as it would be to summon the peers, and that the former alternative would be far more useful. It was, however, something to put off the evil day for a season, and a formal recommendation was forwarded to Charles to summon the peers to meet in London as soon as possible.[1] So out of heart were the councillors now, that they were already taking measures for strengthening the fortifications of Portsmouth, as a last place of refuge for the King.[2]

Sept. 2. A Great Council proposed.

Sept. 3.

Charles did not as yet share in the terrors of his Council. He still believed it to be possible to rally the kingdom round him. "Tell the Earl Marshal and all the Council," he wrote to Windebank, "that we here preach the doctrine of serving the King, everyone upon his charge, for the defence of the realm, which I assure you is taken as canonical here in Yorkshire; and I see no reason why you of my Council should not make it be so understood there."[3] Charles's confidence was not entirely without foundation. The Yorkshire trained bands were moving at last. One regiment marched into York on the evening of the

Sept. 2. The King does not despair.

Sept. 3.

[1] Memorial of the Council, Sept. 2, *Hardwicke S. P.* ii. 168. Observations of the Council, Sept. 3, *S. P. Dom.*

[2] Windebank's Notes, Sept. 2, *ibid.*

[3] The King's Notes, Sept. 2, *Clar. S. P.* ii. 96.

3rd, and the greater part of the remainder was expected on the following day. Vane was once more in good spirits. "We shall have a gallant army," he wrote. "God send us hearts to fight. We shall have horse and foot sufficient." It was for Juxon and Cottington to provide them in good time with money and provisions.[1]

It was the last thing that Juxon and Cottington were capable of doing. The truth of his weakness was to be brought home to Charles through the emptiness of his exchequer. In the meanwhile he had to bend his ear to voices to which he was unaccustomed. On the 4th, after the occupation of Durham, the Scots sent in a supplication, couched in the usual humble terms, asking that their grievances might be redressed with the advice of an English Parliament.[2] Almost at the same time, Mandeville and Howard arrived from London with the Petition of the Twelve Peers.

Sept. 4. The Scottish supplication.

Sept. 5. The petition of the peers presented.

Whilst the King's Council at York was debating on the answer to be given to demands which, coming from such opposite quarters, seemed to be concerted together, Windebank's messenger arrived with the news that the Council in London recommended the summoning of the peers. It was at once received as the only possible solution of the difficulty. Very likely Charles only regarded it as a means of gaining time. Lanark, Hamilton's brother, who was now Secretary for Scotland, was ordered to announce to his fellow-countrymen that the King had summoned the peers to meet at York on September 24. If the Scots would then express their demands more particularly, he would, by the advice of the Lords, give them a fitting answer, and, in the meantime, he desired them to advance no farther.[3] The twelve peers were expected to be contented with a similar reference to a meeting of the Great Council.

The Great Council summoned.

It was not likely that the petitioners would be well pleased

[1] Vane to Windebank, Sept. 3, *Clar. S. P.* ii. 98.
[2] Petition of the Scots, Sept. 4, *Rushworth*, iii. 1255.
[3] Lanark's Reply, Sept. 5, *ibid.* 1256.

with this delay. In all outward form the petition was addressed to the King by twelve peers, and by them alone. Care was now taken that copies should be distributed in London. One of these fell into Manchester's hands, and Manchester carried it to the Council.

Copies of the petition spread abroad.

There can be little doubt that the publication of the petition was the work of Pym. The force which popular support had given to the Scottish Covenanters had not been lost upon him. Earlier parliaments had been wrecked because they had confined themselves to parliamentary procedure. The echo of their debates had hardly reached the popular ear. Resolutions confined to the journals of the Houses could be torn out by the King. Documents prepared by committees could be seized and burnt. What was needed now was to bring the House of Commons into living connection with the wave of feeling which tossed outside its walls. In the Short Parliament, Pym had stood forth as the leader of the Commons. He was now to stand forth as the popular agitator as well.

Popular support sought.

Two of the peers, Hertford and Bedford, went boldly before the Council, and asked the councillors to join with them in signing the petition. The councillors naturally refused to do anything of the kind. It was very strange, said Arundel, that they should 'desire the Scots to join in the reformation of religion.' The two lords were asked whether they knew of any Covenant like that of Scotland in England. They asserted that they knew of none. They declared that the Council of Peers could grant no money. Nothing but a parliament could give satisfaction. As for the petition, it was not theirs alone. It was supported by 'many other noblemen and most of the gentry.'[1]

Sept. 7. Hertford and Bedford before the Council.

Far away in the North, the King hardly yet felt the force of the tide which was running against him. His chief preoccupation was the difficulty of finding money. "I see," he wrote to his ministers on their refusal to meddle further with the debasement of the coinage, "ye are

Sept. 9. The King's feelings.

[1] Windebank's Notes, Sept. 7, *Treaty of Ripon*, 79. Windebank to the King, Sept. 7, *Clar. S. P.* ii. 110.

all so frightened ye can resolve on nothing."[1] It was at last evident to Charles that money was only to be had by the goodwill of his subjects; but at York it seemed not altogether impossible that the subjects would now see their true interests.

Sept. 11. Demands of the Scots discussed.

On the 11th, the Council was summoned to consider the answer to be given to the Scottish demands which had at last arrived, and which formulated, more clearly than before, the expectation of the invaders that all the acts of the last session would be accepted and the persons named as incendiaries be delivered for trial.[2] The message, galling as it was to the King, was accompanied by news which raised his hopes. The money which the Scots had brought with them was already exhausted. The assurance that they would pay their way had held good till they had gained their object. They now informed the magistrates of the two counties of Northumberland and Durham, together with the magistrates of Newcastle, that it was for them to support the invading army, at the cost of 850*l.* a day. Tenants of the Bishop and Chapter were forced to pay rents by anticipation to the Scottish commanders,[3] and deserted houses were freely plundered. Householders remaining at home and paying the contribution, suffered nothing.[4]

The Scots demand a contribution.

Such news was worth much to the King's cause in Yorkshire. Strafford's expectation that Englishmen would rally round the King when they once understood what a Scottish invasion was, seemed destined to be realised. On the 10th the King had held a review of the army. In the eyes of Vane it was all that could be desired. "Braver bodies of men and better clad," he wrote, "have I not seen anywhere, for the foot. For the horse, they are such as no man that sees them, by their outward appearance, but will judge them able to stand and encounter with any whatsoever." What was better still, the Yorkshire trained bands did not now stand alone. The counties of Nottingham and Derby

Sept. 10. The review at York.

[1] The King's Notes, Sept. 9, *Clar. S. P.* ii. 112.
[2] The Scots to Lanark, Sept. 8, *Rushworth*, iii. 1258.
[3] Petition of Tenants, *Rushworth*, iii. 1272.
[4] Vane to Windebank, Sept. 16, *Hardwicke S. P.* ii. 180.

were ready to send their men as soon as they were bidden, and some of their horse had already come in. Leicestershire was equally prepared. Stafford and Lincoln still held back, but hopes were entertained that they would not be wanting. It was evident that the men of central England were unwilling to become tributary to a Scottish army.[1]

Encouraged by these demonstrations of returning loyalty, Charles sent a short answer to the Scots, referring them to the Council of Peers for their answer, and demanding the immediate delivery of the prisoners taken at Newburn.[2]

Answer to the Scots.

Charles, however, was not out of his difficulty. His army cost him 40,000*l.* a month, and he himself acknowledged that he should be undone unless he had two months' pay secured.[3] There was still uncertainty whether the Yorkshire gentlemen would take the pay of their trained bands on themselves. They now drew up a petition demanding a parliament. Upon this Strafford called them together again, obtained the rejection of the petition, and a direct offer to support their trained bands till the meeting of the Great Council. He then took them at once to the King. Charles received them most affably, and told them that in future he would require no more from them than 6,000 men instead of 12,000, that he would excuse them from the obligation of scutage, and that the heirs of those who might be killed in his cause should be freed from the claims of the Court of Wards.

Want of money.

Sept. 12. Yorkshire petition prepared.

Sept. 13. The Yorkshiremen offer to support their trained bands.

So far had Strafford succeeded. Charles was not slow in acknowledging his obligation. On the day on which the offer of the Yorkshiremen was made he held a special chapter of the Order of the Garter, and invested the Lord Lieutenant with the blue riband.[4]

Strafford a Knight of the Garter.

[1] Vane to Windebank, Sept. 10, *S. P. Dom.* ccccixvii. 5; Sept. 11, *Hardwicke S. P.* ii. 172. Newport to Nicholas, Sept. 11, *S. P. Dom.*

[2] Lanark to the Scots, Sept. 11, *Balfour*, ii. 402.

[3] The King's Notes, Sept. 11, *Clar. S. P.* ii. 114.

[4] Vane to Windebank, Sept. 13, 14, *Hardwicke S. P.* ii. 176, 177. Rushworth's statement (iii. 1265) that the Yorkshiremen insisted on re-

What were Strafford's hopes and fears at this conjuncture we shall never know. Probably he hoped to deal with the peers and even with the Parliament which he must have foreseen to be inevitable, as he had dealt with the gentlemen of York. The Scottish invasion would drive them to rally round the throne, Charles would come forward with graceful concessions, and the old harmony of the Elizabethan government would be restored.[1]

Strafford's intentions.

But for the strength of Puritanism it is possible that Strafford would not have calculated amiss. Of the living force of religious zeal he had no understanding. It had little place amongst his neighbours in the North.

In the South, where the danger was less pressing, there was none of that revival of loyalty which had so unexpectedly arisen in the North. In London especially, the progress of the Scots was regarded as a national triumph. When the news of Conway's rout arrived it was received with every demonstration of joy.[2] Placards were set up calling on the apprentices to rise for the reformation of religion, 'which, in plain English,' as Windebank explained, 'is the defacing of churches.' The Lord Mayor and aldermen, however, had no intention of allowing a repetition of the riots of the preceding spring, and the attempt was promptly suppressed.[3] The Scots hastened to relieve the citizens from any fear that their material interests would be affected, by assuring them that the all-important coal trade should remain open as before.[4] The Council soon heard with alarm that a petition, not very dissimilar from that of the twelve peers, was circulating in the City, and had already received numerous signatures. They at once ordered the Lord Mayor and aldermen to put a stop to the scandal;

Feeling in London.

The London petition.

taining their demands for the summoning of Parliament is refuted by this evidence.

[1] There is a noteworthy echo of the hopefulness which at this time prevailed at York in a letter from Pocklington to Lambe, Sept. 14, *S. P. Dom.*

[2] Giustinian to the Doge, Sept. $\frac{4}{14}$, *Ven. Transcripts, R. O.*

[3] Windebank to the King, Sept. 7, *Clar. S. P.* ii. 113.

[4] The Scots to the Lord Mayor, Sept. 8, *Rushworth*, iii. 1259.

but their efforts were entirely fruitless, and they found that the clergy also had a petition in preparation. They could think of nothing better than to recommend the King to imprison the bearers of both petitions as soon as they arrived at York. Charles was already growing impatient of the weakness of his ministers. "I could wish," he wrote on the margin of Windebank's despatch, "ye would show as much stoutness there as ye counsel me to here."[1]

Petition of the clergy.

Sept. 18.

Sept. 20. The King's reproof to his ministers.

These tidings from the South were overwhelmingly convincing of the necessity of summoning Parliament. Yet Charles hesitated long. "Notwithstanding the Lords of the Council's advice for a parliament," wrote Vane on the 18th, "I do not find in his Majesty yet any certain resolution for the same."[2]

Sept. 18. Hesitates to call Parliament.

There was one man, however, by Charles's side who was now ready to persuade him that resistance was hopeless. Hamilton had no wish to be given up to his countrymen to be prosecuted as an incendiary. He begged the King to allow him to leave the country. He had urged Strafford and Laud, he said, to do the same thing, 'but the earl was too great-hearted to fear, and he doubted the other was too bold to fly.' One way, indeed, remained more dishonourable than flight; the one to which he had lowered himself in the preceding year. He might betake himself to Charles's opponents, might speak their words and accept their principles, in order that he might betray their counsels to the King. This was the service which Hamilton proffered, and which Charles accepted with gladness.[3]

September. Hamilton's proposed intrigue.

Whatever might be the result of Hamilton's intrigue, his despondency could not fail to make an impression on Charles. It could make no real difference in the position that a party of Scotch horse which had come plundering into Yorkshire was

[1] The King's Notes, Sept. 20, *Clar. S. P.* ii. 117.

[2] Vane to Windebank, Sept. 18, *Hardwicke S. P.* ii. 181.

[3] *Clarendon*, i. 218. Mr. Disraeli's suggestion that this story is but a repetition of an earlier one seems to me unsatisfactory.

captured or slain almost to a man.[1] The news from Scotland was most depressing. Dumbarton had surrendered on August 29. On September 15 Ruthven's garrison, wasted by scurvy caused by the failing of fresh water, gave up the Castle of Edinburgh. Feeble and tottering, the brave defenders of the fortress stepped forth with drums beating and colours flying. Their resolute bravery was no commendation in the eyes of the populace of Edinburgh. But for a guard of soldiers, which had been providently assigned to them, they would have been torn in pieces long before they reached Leith.[2] A few days later Nithsdale's fortified mansion of Caerlaverock was taken by the Covenanters The National Government was supreme from north to south.[3]

Fall of Dumbarton, Edinburgh Castle, and Caerlaverock.

The news of the loss of Edinburgh Castle was known to the King on the 22nd. On that day the London petition was presented to him. It bore the signatures of four aldermen and of ten thousand citizens. The Councillors in London were bidden to abandon the thought of imprisoning either the organisers of this petition, or Burgess, by whom the petition of the clergy had been conveyed to York.[4]

Sept. 22. The London petition presented.

It was impossible longer to resist the universal cry for a parliament. Even if Charles had remained deaf to the wishes of his subjects, his financial distress would have been decisive. The pepper-money would support his army for a few weeks longer, and then the catastrophe would surely come. He would be as powerless to hold his forces together in Yorkshire as he had been powerless to hold them together in Northumberland the year before.

A parliament to meet.

On the 24th the Great Council met in the hall of the Deanery at York. The King's speech gave clear evidence of the distraction of his mind. He had called the peers to-

[1] Vane to Windebank, Sept. 20, *Hardwicke S. P.* ii. 183.

[2] *Balfour*, ii. 403. Drummond to Sir John Hay, Oct. 3, *S. P. Dom.* cccclxix. 25. A story of the massacre of the garrison of Edinburgh was circulated in England, but was soon contradicted.

[3] *Baillie*, i. 258.

[4] Vane to Windebank, Sept. 22, *Hardwicke S. P.* ii. 184.

gether, he said, that by their advice he might proceed to the chastisement of the rebels. Then lowering his tone, he announced the issue of writs for a parliament to meet on November 3, and asked for counsel, not on the best mode of chastising the rebels, but on the answer to be given to their petition, and on the means of keeping the army together till the meeting of Parliament "For so long as the Scotch army remains in England," he said, in conclusion, "I think no man will counsel me to disband mine, for that would be an unspeakable loss to all this part of the kingdom by subjecting them to the greedy appetite of the rebels, besides the unspeakable dishonour that would thereby fall upon this nation."

Sept. 24. The King's speech to the Great Council.

In the afternoon the peers met again. Traquair, by the King's command, repeated the narrative which had moved the Council in the preceding winter to declare the Scottish demands to be inadmissible. Evidently Charles had not yet abandoned the hope that the peers would support him in the position which he had taken up. Such was not the view of the situation which they took. At Bristol's motion they resolved to name sixteen of their own number as Commissioners to negotiate with the invaders. Every one of the seven who had signed the letter forwarded by Savile, reappeared amongst the number, and the remainder were favourable to a good understanding with the Scots.

Traquair's narrative.

Commissioners to treat.

Whatever their private opinions might be, the Lords had clearly accepted the leadership of Bristol. His old loyalty was a sufficient guarantee that he would be no favourer of revolution, whilst he was known to be entirely hostile to the new system of government. No other peer could compete with him in capacity for the conduct of the negotiation.[1]

Bristol's leadership.

The next day the peers took the King's financial difficulties into consideration. It was acknowledged that at least 200,000*l.* were needed. Strafford urged the necessity of supplying the

[1] Vane to Windebank, Sept. 24, *Hardwicke S. P.* ii. 186. *Rushworth*, iii. 1275.

money at once. If that army were to be dissolved the country would be lost in two days. He was not for fighting now. If they remained on the defensive they would wear out the Scots. The question of overpowering the Scots was not the foremost one with the other peers. Now that a Parliament was to meet, said Bristol, the City would be ready to lend. It was ultimately resolved to send a deputation to London to collect a loan of 200,000*l.* on the security of the Peers.[1]

Sept. 25. The peers engage their security to the City for a loan.

It remained to be considered on what terms the negotiation should be opened. The King proposed that the Pacification of Berwick, that vague and inconclusive arrangement which had been subjected to so many interpretations, should be taken as the basis of the understanding. Was it not, asked the King, dishonourable to go further than the Pacification? If he had had his way he would have secured the support of the Lords in refusing the Acts of the late Parliament. He would not acknowledge that he must look upon the Scots as capable of dictating terms. Bristol took the more sensible view. "If his Majesty were in case," he said, "it were best to bring them on their knees; but now, considering their strength, Newcastle and the two provinces taken, we must now speak of the business as to men that have gotten these advantages."[2] Charles was not to be moved. In the instructions finally given, he declared his intention of keeping the Scottish castles in his own hands. As to such acts as were derogatory to his crown and dignity, he had instructed Traquair, Morton, and Lanark to inform the Scots of his pleasure.[3]

Sept. 26. Terms of negotiation.

Sept. 29. Instructions to the Commissioners.

There could be little doubt what that information would be. The point, however, would not be raised for some little time. The Commissioners of the two nations met at Ripon on October 2. It was evident, from

Oct. 2. Meeting at Ripon.

[1] Sir J. Borough's notes of these and the subsequent meetings of the Great Council are printed in *Hardwicke S. P.* ii. 208, from *Harl. MSS.* 456. The printed copy cannot always be relied on; Mandeville's speech, for instance, is attributed to Savile at p 209.

[2] *Hardwicke S. P.* ii. 225. [3] *Rushworth*, iii. 1283.

the first, that the Scots were aware of the strength of their position.

Loudoun, who took the lead on the Scottish side, said plainly that his countrymen would not be content without taking into consideration events which had happened since the Pacification; and he also took objection to the presence of six persons who had been named as assistants to the English lords, especially as one of the number was the obnoxious Traquair, who was pointed out by the Scots as one of the incendiaries at whose trial and punishment they aimed.[1]

Scottish demands.

The Scots seem to have been surprised at the tenacity with which Bristol, without contradiction from his fellow-commissioners, fought them inch by inch. They had entered England under the belief that they had received from seven of the commissioners present a positive offer of armed assistance, and they could not understand how those very men should be found supporting the arguments against their claims. That evening, Loudoun and Johnston applied anxiously to Mandeville for an explanation, charging him and the other six peers with a breach of their signed engagement. To this unlooked-for accusation Mandeville answered that he knew nothing about the matter. Loudoun and Johnston replied that the whole negotiation had passed through Savile's hands, and that he would be certain to bear witness to the truth. The next day, accordingly, Savile was sent for and interrogated. Prevarication in such company was useless, and he boldly acknowledged the forgery. He declared himself to have acted as he had from motives of patriotism, and he now said that the only thing to be done, since his falsehood had been discovered, was to take advantage of its results for the common good.

Oct. 3. Meeting between Loudoun, Johnston, and Mandeville.

Savile's confession of forgery.

Savile's treachery was easily condoned. It was not likely that he would ever be trusted again by those whom he had tricked; but if, as is probable, he had been the medium through whose hands genuine as well as forged writings had passed, it is easy to understand

Savile's treachery condoned.

[1] Borough's *Treaty of Ripon* (Camd. Soc.), 1–17. Commissioners to the King, Oct. 2, *Rushworth*, iii. 1289.

the mixed motives of those who concurred in passing over so odious a treachery. Naturally, too, the English lords were anxious to obtain from the Scots the incriminating paper. The Scots refused to give it up, but they cut out the supposititious signatures and burnt them in Mandeville's presence.[1]

In the open discussions which followed, the question of the assistants was settled by the compromise that they might give advice without showing themselves at the public conferences. Then came a debate on the terms on which a cessation of arms was to be granted. The Scots declared that nothing short of 40,000*l.* a month would satisfy them during their occupation of the northern counties, and that this payment must last until the conclusion of peace. The English Commissioners referred the demand to the King.

Oct. 5. Progress of the negotiation.

Before Charles gave his answer he was in possession of better news from London than he had been accustomed to receive. In the last days of September the exasperation of the citizens had been daily growing. At the election of the new Lord Mayor, they shouted out that they would have none who had opposed the petition to the King, and set aside the aldermen who stood highest on the list, and one of whom, according to the usual custom, would have been elected without further difficulty. The greater part of the votes were divided between Geere, who had given his support to the petition, and Soames, who had been sent to prison for his resistance to the loan. Riots, too, broke out in two of the City churches, where Dr. Duck, the Bishop's Chancellor, had irritated the people by calling upon the churchwardens to take the usual oath to present offenders against the ecclesiastical law. In one of them the summons was received with shouts of

Sept. 29. State of London.

[1] *Nalson*, ii. 427. The story is extracted from Mandeville's own *Memoirs*. Dr. Burton commented on it, that 'the doubts that any such affair ever occurred are strengthened by the absence of any reference to it in Mr. Bruce's *Ripon Papers*.' Surely he could not have been serious in supposing it likely that the official note-taker of the Conference would be invited to be present at this interview! The passage in question is to be found in a fragment now known as *Add. MSS.* 15,567, which is thus identified as a portion of the long-lost *Memoirs* of the Earl of Manchester. Its importance will be seen when the narrative reaches Strafford's arrest.

'No oath! no oath!' from the crowded assembly. An apparitor, who unwisely spoke of the disturbers as a company of Puritan dogs, was hustled and beaten, and was finally carried off to prison by the sheriff, who had been summoned to restore order. The Chancellor was glad enough to escape in haste, leaving his hat behind him.[1]

All this was changed for a time by the arrival of the peers from York. On October 2 an informal meeting was held, in which a number of the richer citizens appeared in the midst of the Common Councillors. As Bristol had anticipated, the declaration of a Parliament carried all before it. The Lord Mayor was invited to write to the City Companies to ask them to lend 200,000*l.* on the security of the peers.[2]

Oct. 2. The City agrees to a loan.

The news of the success of the application to the City reached York on the 6th,[3] the day on which the Great Council met to take into consideration the Scottish demand. The King had no certain advice to give. He hesitated between the risk of exasperating the Scots, and the indignity of buying off the vengeance of rebels. Strafford had no such hesitation. "This demand," he said, "hath opened our eyes. Nothing of religion moves in this business." "The Londoners' example," he added, "hath much turned my opinion." Once more he was beginning to think that the Scottish exorbitance would give the King the support that he needed. He was for taking the defensive, and leaving the Scots to do their worst. Some, indeed—Lord Herbert of Cherbury, amongst them—were equally prepared to proceed to extremities. But the general feeling of the peers inclined the other way, and on the following day the King proposed that the negotiation should be removed to York, apparently with the intention of bringing his personal influence to bear upon the Scottish Commissioners.[4]

Oct. 6. Debate in the Great Council on the Scottish demand.

Oct. 7. The negotiation to be removed to York.

[1] Rossingham's *News-Letter*, Oct. 7, *Add. MSS.* 11,045, fol. 122. Windebank to the King, Sept. 30, *Clar. S. P.* ii. 125.

[2] The Peers' deputation to the King, Oct. 3. *S. P. Dom.* ccccxlix. 32.

[3] Vane to Windebank, Oct. 6, *Hardwicke S. P.* ii. 193.

[4] *Hardwicke S. P.* ii. 241.

The answer of the Scots to the Royal command was a blank refusal to obey it. They had not forgotten how some of their number had been detained in London when employed on a similar negotiation. They would not, they said, trust themselves in the midst of an army of which Strafford was the commander. They were empowered to name him 'as a chief incendiary.' In the Irish Parliament he had had no better name for them than traitors and rebels, and he was now doing his utmost to bring the negotiation to an end.[1]

Oct. 8. The Scots refuse to come.

Doubtless the Scots had received tidings from their friends at York of the speech delivered by Strafford two days before. They could not know of a proposal fiercer still which he was that very day penning, to be submitted to Radcliffe. His thoughts in these days of trouble must often have passed over the Irish Channel to that army which, but for the want of money, he would have brought over the sea to join in the attack upon the invaders. He knew, too, that there were in the North of Ireland 40,000 able-bodied Scots, and that if Argyle chose, as had been threatened, to go amongst them he would find an army ready to his hands. In desperation he clutched at the notion of rousing the Irish House of Commons, which had met again at Dublin on the 1st, against these intruders upon Irish soil. If the Irish Parliament were to declare for the banishment of these men, the Irish army would be strong enough, armed though the Scotchmen were, to carry its behest into execution.[2]

Strafford proposes to drive out the Scots from Ulster.

Wisely indeed did Radcliffe give his word against this terrible project. It would have filled the North of Ireland with carnage, with the sole result of rousing the indignation of England against the perpetrators of such a crime. The habit of driving straight at his object, undeterred by the miseries which would be wrought in attaining it, had been growing upon Strafford. To crush the Scots was the one object for which he now lived. On the 6th he had proposed to deliver up the populations of Northumberland and Durham to the tender mercies of the invaders. On the 8th he proposed to give over the province of

[1] The Scotch Commissioners' answer, Oct. 8, *Rushworth*, iii. 1292.

[2] Whitaker's *Life of Radcliffe*, 206.

Ulster to blood and flame. It was not for nothing that the Scots had named him as the chief incendiary.

Strafford was not to have his way. The refusal of the Scots to come to York was meekly accepted. The negotiation was renewed at Ripon with the sole object of obtaining a modification of their demands. At last they agreed to accept for two months a continuance of the 850*l.* a day, or about 25,000*l.* a month, which they were drawing from the two counties, on condition that the first month's payment should be secured to them by the bonds of the leading gentry of the counties, given on assurance that the King would recommend their case to Parliament; and that the second month's payment should be provided for in a way to be hereafter settled—a stipulation which plainly pointed to a parliamentary engagement.

Oct. 14. Treaty resumed at Ripon.

Oct. 21.

On these terms, a cessation of arms was granted. The two northern counties were to remain in the possession of the invaders till the conclusion of the treaty. As soon as this arrangement was made, Henderson blandly informed the English Commissioners that they had the best of the bargain, as it was 'more blessed to give than to receive.' As the day for the meeting of Parliament was now approaching, it was arranged that further negotiations should be carried on in London, and on the 26th the Commissioners of the two countries met for the last time at Ripon.[1]

Oct. 22. The negotiation to be removed to London.

The resolution to accept the Scottish demands in their modified form, had probably been influenced by unsatisfactory news from London. The election of the Lord Mayor indeed, had ended in a compromise. Neither Acton, who was supported by the King's Council, nor Soames, the candidate of the popular party, had been chosen. The choice of the electors had fallen upon Alderman Wright, the second on the list. But Charles cared far less about the London mayoralty than he did about the London loan, and it must have been a real shock to his mind when he learned that the City companies would only lend him a quarter of the sum for which

Oct. 26. Last sitting at Ripon.

Oct. 28. Wright elected Lord Mayor.

The loan reduced to 50,000*l.*

[1] *Treaty of Ripon*, 27.

he had asked. He would have to wait for the rest till Parliament met.[1]

Unless, too, the Parliament could supply him with authority as well as money, the most disastrous consequences might be expected. In London, at least, the order which he had painfully laboured to establish was entirely set at nought. On the 22nd the mob dashed into the High Commission Court, as it was preparing to sentence a Separatist, tore down the benches, seized upon the books, and threw the furniture out of the window. Laud, at least, maintained his courage to the last. He called on the Court of Star Chamber to punish the offenders if they did not wish to be called in question by the populace for their sentence on Prynne, Burton, and Bastwick. But the Court of Star Chamber was no longer responsive to his call. It was thought more prudent to indict some of the rioters before the Lord Mayor and some aldermen sitting on a commission of Oyer and Terminer. The grand jury could not agree to find a true bill against the prisoners, and the proceedings came to nothing. The result of this leniency was a fresh riot on the following Sunday. St. Paul's was invaded by the rabble, and a large quantity of papers, found in an office, were torn in pieces, in the belief that they were the records of the High Commission.[2]

On the 28th the Great Council was gathered together for the last time, to advise on the acceptance or rejection of the compact made at Ripon. Even Strafford did not venture to recommend the latter course now. The King's assent was therefore given to the arrangement; but Charles distinctly declared that the payment was a voluntary act on the part of the gentry. He would enforce no man to pay the Scots.

Oct. 28. Last meeting of the Great Council.

The Great Council then broke up. It had not met in vain. It had done the utmost that was possible under the circumstances. It had obtained breathing time for the nation at the least expense which the hopelessness of immediate resistance would admit of. By selecting

Work of the Great Council.

[1] Windebank to the King, Oct. 14, *Clar. S. P.* ii. 129.

[2] Rossingham's *News-Letter*, Oct. 27, Nov. 3, *Add. MSS.* 11,045, fol. 128, 130.

Bristol as its leader, it had declared equally against the extreme party which would have dragged an unwilling nation into staking its honour and safety upon the chances of a war to be waged by a beaten and undisciplined army, and against an equally extreme party which had looked with favour upon a hostile invasion. More than this, it had saved Charles from himself —from that hopeless vacillation which delivered him over as a prey to rash violence on one day, and to unreal submission on the next.

What chance was there that the influence of Bristol would be maintained in the coming Parliament? It was not likely that a House of Commons elected in such a time of suspicion and excitement, would be content with any measures which would be easily accepted by the King. It was not likely that the King, accustomed as he was to the exercise of arbitrary power, would accept meekly the restrictions which even moderate men sought to place upon him. Times were coming when such men as Bristol might well despair of the ship of state. He was not likely to secure the mastery over the coming Parliament. Nor was it at all likely that he would secure the mastery over the King. The feelings with which Charles looked forward to meeting the assembly which he had been compelled to call into existence, are doubtless admirably expressed in the opening pages of that little book which, if it be indeed a forgery, was the work of one possessed of no ordinary skill in the delineation of human character.[1]

Dangers of the future.

Charles's feeling towards the Parliament which he had summoned.

"I cared not," so runs the passage, "to lessen myself in some things of my wonted prerogative, since I knew I could be

[1] To the historian it is a matter of complete indifference whether the *Eikon* was written by Charles or by Gauden. The argument of Mr. Doble in the *Academy*, based on a comparison of styles, is the strongest which has yet been put forth in favour of Gauden's claim. What I am concerned to affirm is that Charles's real character and views are portrayed in the book. It is possible, however, that those views had become the common property of the Royalists during the course of the Civil War, and may thus have found their way into a work which, if it had appeared before 1642, could not have been written by anyone but Charles himself.

no loser if I might gain but a recompense in my subjects' affections. I intended not only to oblige my friends, but mine enemies also, exceeding even the desires of those that were factiously discontented, if they did but pretend to any modest and sober sense. The odium and offences which some men's rigour in Church and State had contracted upon my government, I resolved to have expiated by such laws and regulations for the future as might not only rectify what was amiss in practice, but supply what was defective in the constitution. I resolved to reform what I should, by free and full advice in Parliament, be convinced of to be amiss, and to grant whatever my reason and conscience told me was fit to be desired."[1]

Between Charles's conception of his place in the English nation and the sad reality, there was, indeed, a great gulf.

[1] *Eikon Basilike*, ch. i.

CHAPTER XCV.

THE FIRST TWO MONTHS OF THE LONG PARLIAMENT.

On November 3 that famous assembly which was to be known to all time as the Long Parliament met at Westminster. It was impossible that the view of public affairs which was taken by the King should satisfy the men who now came together from every part of England. They were firmly persuaded, not that a few things had gone wrong, but that everything had gone wrong. The future Cavalier and the future Roundhead were of one mind in this. Nor would they be content to submit the choice of the abuses to be abolished to the reason and conscience of the King. They had resolved to measure by their own reason and conscience the remedies which they desired. Charles had by his actions thrust into the foreground the question of sovereignty, and it could never be put out of sight again.

1640. Nov. 3. Meeting of the Long Parliament.

Temper of the members.

Unhappily it was rather to be wished than to be expected that the claim to supremacy which Parliament was justified in putting forward, should have been swollen by no unreasonable demands, and supported on no fictitious allegations. The worst result of Charles's system of government was, that this could not be. He had attempted to rule without understanding his subjects, and the process had not been such as to enable them to understand him. Called upon to interpret a series of actions to which they did not possess the key, they naturally conceived that the explanation was to be found in a more resolute and consistent effort than any

Causes of future mischief.

of which Charles was really capable. They held that all that had taken place was the result of a settled conspiracy to replace law and liberty by an absolute despotism at home, whilst the political despotism thus brought into existence was to be subjected in turn to the ecclesiastical despotism of the Pope. This, they believed, was the deliberate intention of Laud and Strafford, for as yet Charles's name was not mentioned. It was natural enough that it should be so, but it was none the less fatal to any chance, if chance there were, of an understanding with the King. Errors do not any the less produce their evil crop because they are under the circumstances unavoidable.

Strength of the Parliament in the Scottish army.

No Parliament had ever met, since the days of Earl Simon, with so great a strength of popular support. Nor had it only to rely upon a vague and unorganised feeling, always hard to translate into combined action. For the first time since Parliaments had been, it had behind it an armed and disciplined force, possessing more military cohesion than any popular rising could possibly have had. That army, indeed, was, in the eye of the law, an army of foreigners encamped on English soil. But for the moment it was regarded by most Englishmen with more sympathy than that other army in the North which was entirely composed of Englishmen. By a strange combination of circumstances, it had become impossible for Charles to defy his Parliament without defying the Scottish army as well. Unless he could pay the 850*l.* a day, which the Scots had agreed to accept, their army would hold the Treaty of Ripon to be at an end, would cross the Tees, and march southwards. There was no force in existence which could be counted on to stop the invaders anywhere between Yorkshire and Whitehall. It was, therefore, absolutely necessary for Charles to find money, and he knew perfectly well that if he dissolved Parliament it would be out of his power to collect a single penny.

It was not now with Charles, as it had been in 1625, in 1626, in 1629, or even in the spring of 1640. His former quarrels with Parliament had brought to him disordered finances, and had frustrated his cherished plans. A dissolution now would bring him face to face with absolute ruin.

Plain as this seems to be, it took some little time to drive it home to Charles's understanding. In his opening speech he asked the Houses to join him in chasing out the rebels, and was surprised to find himself obliged to explain away the obnoxious term.[1]

Charles speaks of the Scots as rebels.

The new position of Parliament was emphasized by the choice of a Speaker. Charles had intended to propose the nomination of the Recorder of London, Sir Thomas Gardiner, a devoted adherent of the Crown. Contrary to all precedent, the City had refused to send its Recorder to Parliament, and was represented by four stout Puritans. Charles was therefore obliged to look elsewhere. His choice had fallen on William Lenthall, a barrister of some repute in the courts, and likely to be acceptable to the leading members of the Commons. Lenthall was better fitted for the post than Charles could have imagined. He was surpassed by some in the House in knowledge of Parliamentary precedent, but he was the first to realise the position of a Speaker in times of political controversy. He would not, like Finch, in 1629, place himself at the service of the Crown. Neither would he, like Glanville, in the Short Parliament, take an active part in opposition to the Crown. He was content to moderate and control, and to suggest the means of reconciling differences, without attempting to influence the House in its decision. Through his whole career he had, as he said on one famous occasion, neither eyes to see, nor tongue to speak, save as the House was pleased to direct him.

Nov. 5. Lenthall Speaker.

No one knew better than Strafford what danger was impending over his own head. He had to bear the burden of all other men's offences as well as of his own. To the mass of Englishmen he was the dark-browed apostate, who had forsaken the paths of constitutional usage to establish a despotic and arbitrary power. The Scots, too, loudly proclaimed him as the enemy of their Church and country, and as the originator of that war which had been as obnoxious to Englishmen as it had been to themselves. Court favourites,

Strafford's forebodings.

[1] The King's Speeches, *Rushworth*, iv. 11, 17.

whose schemes for their own enrichment had been thwarted by his imperious frown, were eager to remove such an obstacle from their path. The Puritans regarded him as their deadliest foe. The City of London had not forgotten how he had threatened its aldermen, and had attempted to ruin trade by the debasement of the coinage. Strafford knew how powerful the City had now become. Even Parliament could not raise subsidies for the payment of the armies without considerable delay, and a further application to the City for a loan was therefore inevitable. Without a loan the Royal army would be compelled to disband, and the Scots, as Strafford expressed it, would be more than ever 'a rod over the King, to force him to do anything the Puritan popular humour had a mind to.' Yet Strafford was not without hope. If only, he thought, the Scottish requirements were known in all their fulness, they would meet with universal resistance.

Strafford knew that his place of safety was in Yorkshire, at the head of the army. The belief of his own family was, that Hamilton and Vane, anxious to make their peace with the Parliamentary leaders, persuaded the King to send for him. Charles himself was eager to lean on that strong arm, and to consult that brain so fertile in resources. He assured Strafford that, if he came, he 'should not suffer in his person, honour, or fortune.' The Queen seconded her husband's entreaties by declarations of her protection. With a brave heart, though against his own judgment, the doomed statesman set out from that loved home at Wentworth Woodhouse, which he was never to behold again. He knew that his enemies were preparing to charge him with 'great matters out of Ireland.' "I am to-morrow to London," he wrote, "with more dangers beset, I believe, than ever any man went with out of Yorkshire; yet my heart is good, and I find nothing cold in me. It is not to be believed how great the malice is, and how intent they are about it. Little less care there is taken to ruin me than to save their own souls."[1]

Intrigues at Court.

Nov. 6. Strafford sets out for London.

[1] Strafford to Radcliffe, Nov. 5. Sir G. Wentworth's Narrative, *Whitaker's Life of Radcliffe*, 214, 228. I do not give Whitelocke's state-

Strafford was right about the danger from Ireland. The English House of Commons, indeed, cared little for the grievances of the native population. For the grievances of the Protestant landowners and the English officials they had a more open ear, and these were precisely the classes on which Strafford's hand had weighed most heavily.[1] It was no mere wish to swell the chorus of complaint which sent the Commons to hunt on the other side of St. George's Channel for fresh charges against their enemy. They instinctively felt that Strafford's conduct in Ireland was inseparable from his conduct in England. It was there that he had shown himself in his true colours as the arbitrary and irresponsible ruler; and

The Irish complaints.

ment that the King said that they should not touch a hair of Strafford's head, as Whitelocke is not to be depended on in details.

[1] An extract from a letter of Sir John Leeke to his half-brother, Sir E. Verney (*Verney MSS.*), will show something of the temper aroused by the working of one of Strafford's financial expedients, the tobacco monopoly. Leeke's son-in-law, a Captain Hals, had commanded a ship which was bringing home tobacco from Virginia, and had died on the voyage. "When the ship came home," wrote Leeke, "they considered not our losses, but by strong hand locked up our hatches, and after some few days got lighters and cellared it up; then fell to weighing. We had 1,100 rolls and odd; all merchants, before that day, were allowed 2 lbs. for every stick's weight; they enforced us to allow 3 lbs., by which we lost 1,100 pounds of tobacco. Next we were not allowed an indifferent weigher, but had the King's searcher put upon us, by whose crooked hand, I vow to God, we lost 3,000 pounds weight of tobacco. To conclude, we had no more than 4½ a pound for the tobacco, which did amount unto us in all 319*l.* The tobacco was by them sold at 2*s.* per pound, and 7 and 8 groats the pound. You may by this guess what they ravished from my poor daughter. Our payment could not be, but at six and six months, but we were not paid the first six months. They alleged our tobacco did not prove well. It was God's judgment if it did not, for the widow and orphan's sake. We had likewise one other parcel for which we have not yet our money. If our great King and brave parliament take this general statement into their consideration, I will lay down more of this to your judgment. This monopoly, or rather hellish plot, hath undone a thousand families here, and undone the island. Captain Hals and his brothers did in those years carry off of the scum and lazy people of this kingdom six or seven hundred men and women. This was a great ease to the kingdom, and kept many from the gallows."

it was there that he had forged that instrument of tyranny, the Irish army, which, as they fully believed, was intended to establish a military despotism in England. After some debate it was resolved, on Pym's motion, that a committee of the whole House should take the Irish grievances into consideration.

Pym's position in the House.

It would be a mistake to speak of Pym at this time as the leader of the House in the sense in which he became its leader after some months of stormy conflict. Again and again during these early weeks his opinion was questioned, and he was not unfrequently out-voted. But he was securely established as the directing influence of a knot of men who constituted the inspiring force of the Parliamentary Opposition. He was trusted by the Earl of Bedford, the wisest and most temperate of the Opposition in the Lords. Hampden, the wisest and most temperate of the Opposition in the Commons, was content to serve under him, and with rare self-abnegation to abstain from taking part, except in circumstances of absolute necessity, in those set debates in which Parliamentary fame is most readily to be won.[1] The fiery Strode, who had held Finch down in his chair;[2] the unrelenting St. John; Holles, Erle, and Fiennes looked up to him as their guide. Nature and experience had made of Pym a consummate Parliamentary tactician. It had made him more than this. He was not indeed, as Strafford was, a born reformer. He had not the eagle eye of the idealist, impatient of the habits of his age, and striving to improve the world in his own fashion. His position was purely conservative, and it brought with it the strength and the weakness which conservatism always brings. To him

[1] It is remarkable how little can be discovered about Hampden. All that is known is to his credit, but his greatness appears from the impression he created upon others more than from the circumstances of his own life as they have been handed down to us.

[2] This identification, which has been much discussed, is put beyond doubt by a passage in D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 385. We there learn that when the case of the prisoners of 1629 was before the House, those of them who were members were ordered to withdraw, and that Strode was one of those who went out.

Parliament was the most conservative force in existence. It was the guardian of the old religion and of the old law against the new-fangled nostrums of Strafford and Laud. It was the strength of his feeling in this matter, combined with the inventiveness with which he prepared new bulwarks against attack, which gave him the unrivalled position to which he attained. The members of the Long Parliament were as yet of one mind in their detestation of innovations. They were resolved to do nothing that was new. Their spirit was the spirit which had animated the Parliaments which, in somewhat similar circumstances, had met to oppose the selfwill of Henry III., and which had justified their demand to control on the ground that they were best able to testify to the laws and customs of their ancestors. Like those Parliaments, too, Pym had the civic temper, the habit of looking for wisdom in the result of common debate, rather than in one supereminent mind.

The debate of November 7 was one long outburst of suppressed complaint. Strafford had clearly not taken a true measure of the feeling of the country. The general outcry began with the presentation of a petition from Hertfordshire by Sir Arthur Capel. Grimston, Rudyerd, and Seymour ran over an almost endless catalogue of grievances. The whole argument was summed up in an anecdote related by Grimston. A poor man, he said, had applied to the Court of King's Bench to be admitted to bail. Some of the judges hesitated. "Come, brothers," said one of them, "let us bail him; for they begin to say in the town, that the judges have overthrown the law, and the bishops the gospel."

Nov. 7. Grievances complained of.

More notable, perhaps, was Rudyerd's speech. Rudyerd was one of that class which is usually known as that of moderate men; that is to say, of men who never go to the bottom of any difficulty. Susceptible to all the breezes of popular feeling, he took all the grievances of the nation to heart without drawing any practical conclusion from the premisses which he admitted. "We well know," he now said, "what disturbance hath been brought into the Church for petty trifles; how the whole Church, the whole kingdom, hath been

Rudyerd's speech.

troubled where to place a metaphor, an altar. We have seen ministers, their wives, children, and families undone against law, against conscience, against all bowels of compassion, about not dancing on Sundays. What do those sort of men think will become of themselves, when the Master of the House shall come and find them beating their fellow-servants?" It was impossible to put in a clearer way the objections which all reasonable men now entertain to the system of Laud. The enforcement of the ceremonies, Rudyerd went on to say, stopped the mouths of diligent preachers. There was something suspicious in the satisfaction felt by the Jesuits in the recent changes, something dangerous in the new habit of branding vigorous and hearty Protestants as Puritans. It was a reproach to the Government that so many of the King's subjects had been driven to seek refuge across the Atlantic.

Rudyerd then proceeded to give voice to another feeling, which was no less general than that against Laud. Grimston had just been going over a long list of oppressive exactions. Rudyerd reminded the House that all this violence had been employed for naught. This apparently all-pervading Government had been the weakest which had been known for generations. It had produced nothing but national disgrace. Those who talked most loudly of advancing the King's authority had frittered away his revenue and had left him grievously in debt. The remedy proposed by Rudyerd was to remove evil counsellors from the King, and, without seeking any man's ruin or life, to effect a thorough reformation.[1]

Rudyerd's suggestion.

It would have been far better for England if Rudyerd's well-meant suggestion could have been carried out. Unfortunately there was but one condition under which it was practicable, and that condition did not exist. If Charles could be trusted to break off, once and for ever, from his old life, and to acknowledge, not in word alone, that his face had been persistently turned in the wrong direction from the very beginning of his reign, it might be safe to allow the instruments of the evil system which was to be abolished to pass the rest of

Difficulties in its way.

[1] Speeches of Grimston and Rudyerd, *Rushworth*, iv. 34, 24. The former is misdated.

their lives in secure retirement. The knowledge that this could not be made a sharper course necessary. Though for the moment Parliament was strong, its strength would not last for ever. Sooner or later the Scottish army must be paid off, and must recross the Border. Weak as the English army was for the present, it might become strong if anything should occur to turn the tide of popular feeling against the Scots. Above all, that Irish Catholic army beyond the sea was a grim reality, which Pym and his associates never lost sight of as long as it remained in existence.

The King not to be touched;

Probably the only true solution of the difficulty was to be found in the abdication or dethronement of the King. It could not be reasonably expected of Charles that he should fit himself for the entirely changed conditions which were before him, and his presence on the throne could no longer serve any useful purpose either for himself or for his subjects. Such a solution, however, did not come within the range of practical politics. He certainly was not likely to propose it, nor was anyone else likely even to think of it. If he was to be irresponsible, responsibility would fall the heavier on his ministers. They would receive more blame than was their due, because he was to receive less than was his. The cry for their punishment, in order that none might hereafter dare to follow in their steps, would wax the louder when it was perceived that only by their punishment, perhaps only by their death, could their permanent exclusion from office be made absolutely certain.

but certain ministers to be impeached.

Some thought of this kind, not reasoned out, but instinctively arising in their minds, was probably present to the Parliamentary leaders when, at a preliminary meeting, they drew up the list of proscription. It was decided that Strafford, Laud, Hamilton, and Cottington, together with some of the judges[1] and of the bishops, should be called to account. No doubt in so doing the Parliamentary leaders assumed that there had been a more deliberate intention to overturn the constitution of the country than had really existed.

[1] I here begin to follow the recovered fragment of Manchester's *Memoirs*. See page 211. The most important passages have been already printed by Mr. Sanford, though he was not aware of their authorship.

If it is necessary to make some allowance for the ignorance of the House of Commons in everything that related to the political designs of the King's ministers, it is still more necessary to make allowance for their ignorance in everything that related to the ecclesiastical designs of the same men. The notion that Laud and Strafford had been conspiring with Con and Rossetti to lay England at the feet of the Pope is so entirely in contradiction with the facts of the case that a modern reader is tempted at once to treat the charge as a fiction deliberately invented to serve the ends of a political party. To give way to this temptation would be to commit the greatest injustice. The conviction was shared not merely by Pym and Hampden, who afterwards opposed the King, but by Falkland and Capel, who afterwards supported him, and its existence as a conscientious belief can alone explain the wide-spread vehemence of anger which it produced. Against the Catholics themselves as a body, the general distrust exceeded all reasonable bounds. It was thought that a number of persons, who in reality wished for nothing better than to be let alone, had combined to plan the extirpation of Protestantism in England, and to risk that welcome calm into which they had so lately entered, in some fresh Gunpowder Plot for the elevation of their Church upon the ruins of the English State and nation. Yet, even here, the general suspicion was not without foundation. What was not true of the general body of Catholics was true of a few intriguers who had gained the ear of the Queen, and who made her apartments at Whitehall the centre from which radiated the wildest schemes for setting at defiance the resolute will of the English people. Thence had come those insensate projects, in which an English bishop and an English Secretary of State had shared, for amalgamating the Church of England with the Church of Rome. Thence had come those still more insensate invitations to the Pope to lend aid in men and money to bolster up the pretensions of an English sovereign to rule his people in defiance of their wishes. Thence came every petty and low contrivance for setting at naught the strength of the Sampson who had arisen in his might, by binding him with the green withs of

Supposed Catholic plot.

The Queen the centre of intrigue.

feminine allurements. Never has evil counsel more speedily avenged itself upon its authors than when the statecraft of James and Buckingham and Charles brought a Catholic princess to be the bride of a Protestant king. To condemn Henrietta Maria is impossible. Nothing in her birth or education had taught her to comprehend the greatness of the cause which she was opposing. She had nothing of statesmanship in her, nothing of the stern and relentless will which is indispensable to the successful conspirator. All she wanted was to live the life of a gay butterfly passing lightly from flower to flower. Such a life, she found, was no longer for her. Her pleasures were to be cut short, her friends driven from her and thrust into danger. It was all so incomprehensible to her, that she was roused to mischievous activity by the extremity of her annoyance. If the fulness of the Queen's activity was not known, at least it was suspected. The favour shown to Catholics at Court, the appointment of many of them to command in the Northern army, the familiarity which had arisen between Charles and the Papal agents, combined to bewilder the minds of English Protestants, and facts occasionally occurred which seemed to give warrant to the wildest suspicions. It was likely enough that Catholic gentlemen in the midst of the universal excitement would be found to have collected arms in their houses instead of trusting themselves to the mercy of their Protestant neighbours. It was likely enough that, in view of the impending danger which they foresaw, some Catholics, less wise than the rest, should mutter some foolish threats. Such words would be certain to become more violent in the mouth of rumour. In September an apostate priest had sought to gain the favour of Charles by trumping up a story of a great Jesuit plot to murder him and Laud, and it was likely that the same man would be ready to trump up stories equally unfounded to please the King's opponents.[1]

General feeling against the Catholics.

The belief in the existence of a plot for the violent suppression of Protestantism is, therefore, only too easily to be explained.

[1] The correspondence is printed in *Rushworth*, iii. 1310. Was the informant the John Brown who had another long story to tell the Commons in the following April?

There can be no doubt that Pym was fully convinced of it. It is but a shallow criticism which conceives of Pym as a man raised above his fellows, and using their weaknesses for the purposes of his own ambition. It is perhaps more a matter of surprise that he can have supposed that Strafford could have had any connection with such a design. But it must be remembered that the Strafford of Pym's knowledge was not the Strafford who now stands revealed—the high-minded, masterful statesman, erring gravely through defect of temper and knowledge. He saw but the base apostate, who, from love of pelf and power, had betrayed the sacred cause of English liberty. No error is so utterly misleading as partial truth, and a document which appeared to point to the worst possible interpretation of Strafford's motives, had unexpectedly found its way into Pym's hands. In the autumn the younger Vane, who had recently been knighted, had occasion to inspect some legal documents, in view of his approaching marriage. In order to obtain them he borrowed his father's keys, and in the course of his search he opened the door of the room in which the Secretary kept his official papers. He there found his father's notes taken at the committee which had met immediately after the dissolution of the Short Parliament, took a copy of them, and carried it to Pym. Pym made a second copy for his own use. The original paper was burnt by the King's command before the meeting of Parliament.[1]

Vane's notes.

To Pym it was enough to know that Strafford had advised the King to act 'loose and absolved from all rules of government,' and that he had reminded him of his army in Ireland as being ready 'to reduce this kingdom.' It was at once clear to Pym, if it had not been clear before, that the Lord Lieutenant was the head of a conspiracy to overthrow, if necessary by force, the fundamental laws of England, or, as we should now express it, the constitution of the country.

Their effect upon Pym.

If Pym bore hardly on Strafford as a man, he could not

[1] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 162 b. The greater part of this was printed by Mr. Sanford; but he appears to have been unable to decipher the whole of the passage. He omitted the part about the burning of the original notes. See page 129.

bear too hardly on the system of government which Strafford had supported. That system had undeniably been calculated to establish an arbitrary power which was not merely unknown to the laws of England, but which would, for a time at least, have checked the development of the nation in the direction of self-government. When Pym rose, it was not to repeat once more the catalogue of grievances which had poured forth from the lips of others. "The distempers of the time," he said, "are well known. They need not repetition, for, though we have good laws, yet they want their execution, or if they are executed, it is in the wrong sense." The whole political contention of the Long Parliament at its commencement lay in these words. Parliament, as Pym understood it, was not merely called together to propose laws and to vote subsidies. It had to see that the laws were executed in accordance with the interpretation put upon them by the nation at large, and not merely in accordance with the interpretation put upon them by the King and the judges. It was inconceivable to him that anyone should honestly think otherwise. 'There was a design,' he said, 'to alter law and religion.' Those who formed it were 'papists who are obliged by a maxim in their doctrine, that they are not only bound to maintain their religion, but to extirpate all others.' Pym followed this by evidence culled from the high-handed dealing of judges and councillors during the past eleven years. He especially referred to the proposal to bring in foreign soldiers to support the King in 1639 and 1640. He also referred to the widely entertained suspicion that some mystery lay concealed in the visit of that Spanish fleet which had been destroyed in the Downs. In a few brief words he pointed the moral. There was 'the Irish army to bring us to order. We are not fully conquered.' In the end, he moved for a committee to inquire into the danger in which the King and kingdom was.

Pym's speech

In the afternoon of the same day the Irish Committee met. A petition from Mountnorris was read, with startling effect. "If we consider divers points of this petition," said Pym, a man would think we lived rather in Turkey than in Christendom. Sir John Clotworthy, one of the Ulster settlers,

The Irish Committee.

who had obtained a seat in the English Parliament, unfolded a miserable tale of grievances. A sub-committee was appointed to examine these points. There was no attempt to veil its inquiry in secrecy; Sir William Pennyman, Strafford's close friend, was named as one of its members.

Nov. 10. A committee of investigation.

Pym was evidently in no hurry. The sub-committee on Irish affairs was not to hold its first sitting till the 12th, and his own committee on English grievances would take long to accomplish its task. He probably intended that the impeachment of Strafford, which he evidently meditated, should be preceded by a long and exhaustive investigation, like that which had preceded Buckingham's impeachment in 1626.[1] This intention, if it was really formed, was frustrated by an unexpected occurrence. On the evening of the 9th Strafford had arrived in London.[2] His advice to the King next day was to take the daring course of anticipating the blow, by accusing the Parliamentary leaders of treasonable relations with the Scots.[3] There was no time to be lost The day

No intention of attacking Strafford at once.

Strafford advises the King to accuse the Parliamentary leaders.

[1] My authority for the first days of the session is the *Journals* elucidated by Manchester's *Memoirs*, and the so called D'Ewes's *Diary*. D'Ewes had not yet arrived in town, and this part of the MS. was furnished by Bodvile, the member for Anglesea.

[2] *Baillie*, i. 272.

[3] The statement of Strafford's intention to accuse his opponents given by Rushworth (*Strafford's Trial*, 2) is placed out of doubt by a passage in Laud's *History of the Troubles*:—"It is thought, and upon good grounds, that the Earl of Strafford had got knowledge of the treason of some men, and that he was preparing to accuse them" (*Works*, iii. 295). The imprisonment by Strafford of Henry Darley, the carrier of Savile's letters, points in the same direction. Manchester's account (*Add. MSS.* 15,567) is as follows:—"He therefore repairs to London, and makes his address to Court, where he is received by the King with great expressions of favour and renewed assurances of protection; but within a few days after his arrival at Court, his greatness appeared so to the lessening of others, as it raised continuances of malice and envy, not to be laid aside till they were put into a way of effecting his designed ruin. Therefore, intimation was given to some of the House of Commons that the Earl of Strafford intended to prefer an accusation of high treason against divers members of

before, Charles had announced his intention of expelling the recusants from London, and of withdrawing the Tower from the custody of the garrison which had been placed in it by Cottington. The 11th was fixed on for the King's visit to review these men before their dismissal, and it can hardly have been an unintentional coincidence that the same day was chosen by Strafford as that on which he was to bring his charge against the members of the Houses. The King would be ready with an armed force, to guard the prisoners when they arrived.

Proposed review at the Tower.

Strafford doubtless believed that the result would be not merely to strike down those whom he regarded as traitors, but to regain for the Crown that popularity which it had lost. He could not think that the English nation would be long content to be led by men who had intrigued to bring a Scottish army upon English soil, just as Pym could not think that it would be content to be led by a man who had proposed to bring an Irish army upon English soil. If men were influenced more by the existing law than by their fears and passions, Strafford might have gained his cause. According to the letter of that law it was treason to bring in a foreign army against the King, whilst it was not treason to bring in a foreign army to support the King. Scotland, too, was a foreign country in a sense in which Ireland was not. The element which Strafford had left out of his calculations was that the mass of Englishmen wished the King to be resisted and not to be supported. It was this which paralysed his action. Few, indeed, even at Charles's Court shared his hopes and fears. Treachery and irresolution hampered his feet at every step. No sooner had his resolve been formed, than some of those to whom the secret had been entrusted, betrayed it to the Parliamentary leaders.

Strafford's plans.

The secret betrayed.

On the morning of the 11th Strafford took his seat in the House of Lords. The moment when his accusation against his enemies should have been brought, if it was to be brought

both Houses of Parliament. Whether this information were real or feigned is uncertain, yet it wrought the effect designed to hasten their intended impeachment of high treason against him."

at all, was allowed to slip by. It is no explanation to say that the Lords were engaged in other business.[1] In such a case as this, the business before the House could have been interrupted, and at all events there would have been time to speak after its conclusion. The only reasonable supposition is that, when the moment for execution came, Charles drew back, as he had so often drawn back before. After a short visit Strafford left the House without uttering a word.

Nov. 11. Strafford baffled.

The Commons were already in a state of violent agitation. Few, indeed, amongst the members had the slightest suspicion of the blow which had been contemplated; but the review at the Tower was no secret. Cradock, one of the members for the City, rose to describe the military arrangements. Strafford, he added, had been heard to boast that in a short time the City would be brought into subjection. At such times vague rumours acquire a strange significance. 'A solicitor in the Bishop's Court' was reported to have said that 'he heard that the City should shortly be about the citizens' ears.' The explanation given by Roe, that the King had merely gone to hold a review, was received with general incredulity. Then followed the inevitable reference to the great Popish plot. Rigby, the Puritan member for Wigan, declared that a letter had been discovered, in which the Catholics were required to fast in support of 'the Queen's pious intentions.' In reality these intentions had referred merely to the Queen's desire that her husband might return safely from the war against the Scots. The Commons would be certain to interpret them as referring to a plot against themselves. After a short further conversation, Pym saw that his time was come. He rose and moved that the doors should be locked.[2] He then called on

Excitement in the Commons.

The doors locked.

[1] Mr. Sanford suggested that Strafford was to have taken advantage of the report to be made by the Commissioners for the Treaty of Ripon to bring forward the subject (*Studies of the Great Rebellion*, 310). But Strafford was not a Commissioner. Besides the report was to be made at 3 P.M., whereas the King's review at the Tower was in the morning.

[2] The *Journals* (ii. 26) place the locking of the doors after the reading of Rigby's letter. Our only knowledge of the debate comes from Bodvile's

Clotworthy to repeat a story which he had heard from Sir Robert King, the muster-master in Ireland. It was to the effect that a little before the dissolution of the Short Parliament Radcliffe had said to him, "We know how to please the Scots at an hour's warning, and then when our armies are together, the King deserves no good counsellors if he will not have what he pleaseth in England."[1] Such words reported as coming from Strafford's most confidential friend must have raised to certainty the suspicions universally entertained by the members of the House. The debate, however, wandered off into talk about the activity of the recusants, and at last a select committee was named to prepare matter for a conference, 'and the charge against the Earl of Strafford.'[2]

Sir R. King's story.

A select committee appointed.

The committee thus named had in a few minutes to draw up the accusation which was originally intended to be the result of an inquiry extending over many weeks. It is, therefore, no matter of surprise that it was somewhat rambling and inconclusive. The committee acknowledged that it was not yet in a position to send up such a charge as they expected ultimately to be able to prepare. Nevertheless it recommended that no time should be lost. For the present it would be enough to instance 'my Lord Mountnorris's cause, and papists suffered in England to increase in arms.'[3] With characteristic love of fairness Falkland asked whether it would not be better to discover the whole truth before bringing the accusation. Pym, if he could not disclose all that he knew, had at least a sufficient answer ready. They could not afford, he said, to give time to Strafford. If he were allowed to remain at large, he would urge the

Its report against Strafford.

Falkland's objection.

Diary prefixed to D'Ewes. It seems to have been written out by some one who had no personal knowledge of the debate. Rigby appears as 'Digby.' Bodvile had none of D'Ewes's minute accuracy, and he omits all mention of the locking of the doors.

[1] It is not the case, as has been erroneously stated, that these words were known to the members of the Short Parliament.

[2] *C. J.* ii. 26.

[3] Bodvile speaks of this report as if it had already been sent up to the Lords. It is clear from the *Journals* that this was not the case.

King to dissolve Parliament, or would take some other desperate course.[1] Pym knew, what Falkland did not know, that the ordinary forms of judicial procedure were insufficient to meet the case of a minister who, armed with the authority of the Crown, was ready to have recourse to force.

The House agreed with Pym. He was directed to carry up the impeachment without delay. He was further to demand that Strafford, being charged with high treason, should at once be sequestered from the House of Lords, and committed to prison. In a few days the Commons would make known the grounds of their accusation.

Strafford's impeachment ordered.

Followed by a crowd of approving members, Pym carried up the message. Whilst the Lords were still debating on this unusual request for imprisonment before the charge had been set forth, the news of the impeachment was carried to Strafford. "I will go," he proudly said, "and look my accusers in the face." With haughty mien he strode up the floor of the House to his place of honour. There were those amongst the peers who had no wish to allow him to speak, lest he should accuse them of complicity with the Scots. The Lords, as a body, felt even more personally aggrieved by his method of government than the Commons. Shouts of 'Withdraw! withdraw!' rose from every side. As soon as he was gone an order was passed sequestering the Lord Lieutenant from his place in the House and committing him to the custody of the Gentleman Usher. He was then called in and bidden to kneel whilst the order was read. He asked permission to speak, but his request was sternly refused. Maxwell, the Usher of the Black Rod, took from him his sword, and conducted him out of the House. The crowd outside gazed pitilessly on the fallen minister, 'no man capping to him, before whom that morning the greatest in England would have stood dis-covered.' "What is the matter?" they asked. "A

Pym impeaches him.

Strafford comes to the House of Lords.

Committed to custody.

[1] I venture to take this from *Clarendon* (i. 243). He wrote from memory, and his general narrative is inextricably confused. I think, however, he may be supposed to have remembered a scene like this, which is characteristic of both the actors.

small matter, I warrant you," replied Strafford with forced levity. "Yes, indeed," answered a bystander, "high treason is a small matter."[1]

Effect of Strafford's design.

Though, with Strafford in custody, no sudden blow was any longer to be feared, the knowledge that it had been contemplated raised an additional barrier between the King and those who were in the secret. The impeachment of Strafford was more than an attempt to bring a criminal to justice. It was an act of self-preservation.

Nov. 13. Radcliffe sent for.

The Commons had now time to turn their attention to other matters. Sir George Radcliffe was sent for from Ireland to answer to the charge brought against him by Clotworthy—a proceeding which was afterwards complained of by Strafford's supporters as stopping his mouth if he should be called on to give evidence in his friend's favour.

Prisoners set at liberty.

More satisfactory were the orders issued for the liberation of Prynne, Bastwick, Burton, Leighton, and Lilburne, to give them an opportunity of bringing their complaints before the House of Commons.

Necessity of raising money.

More pressing even than the removal of the grievances of these injured men was the necessity of raising money. The 50,000*l.* which had been advanced by the City was now exhausted. The two armies in the North must in some way or another be paid, and already an ominous suggestion had fallen from Pym that the loss suffered by the country might be made good out of the estates of those who had been the authors of the mischief.[2] As yet, however, the House turned away from the easy road of confiscation, and resolved that 100,000*l.* should be raised for the payment of the armies. Yet there was no way by which this supply could be hastened sufficiently to provide for the necessities of the hour, and it was resolved to apply to the City for a loan. The City, it appeared, was ready to lend 25,000*l.* on condition that the Londonderry lands should be restored, and that the garrison imposed

Nov. 16. The City will lend money on conditions.

[1] *L. J.* iv. 88. *Baillie*, i. 272. Manchester's Memoirs, *Add. MSS.* 15,567, fol. 32.

[2] Bodvile's Diary, *Harl. MSS.* clxii. fol. 5 b.

by the King should be actually removed from the Tower, and the ordnance dismounted from its walls. Unless this were done, said Cradock, 'such jealousies would possess the City, it would hinder supply.'[1]

Alleged Popish plot.

The City was not alone in its suspicions. The knowledge of the blow contemplated by Strafford had overthrown for the time all feeling of the difference between reality and exaggeration. A woman asserted that a certain O'Connor, an Irish priest, had told her that 'many thousands were in pay to be ready to cut all Protestants' throats,' and to begin by killing the King; and this nonsense was thought worthy of serious consideration by both Houses.[2]

Nov. 17. The fast.

The 17th was devoted to a public fast. Dr. Burgess, who preached before the Commons in the morning, took for his text the words of the prophet Jeremiah, which warned the chosen people to join themselves to the Lord in an everlasting covenant, and significantly reminded his hearers that the deliverance of Israel from Babylon was achieved by the victory of an army from the North. Unwonted utterances were heard from the London pulpits. Men who had long been silenced, called out for the overthrow of Episcopacy and the Prayer Book, and for the introduction of the Scottish Covenant. Eager partisans proposed to draw up a petition for the abolition of bishops. More prudent observers recommended a short delay, till Laud and Strafford had been disposed of.[3] Already the Commons had given evidence of their inclination to thrust aside the new ceremonial. They had arranged to receive the Communion on the 22nd, as a test to exclude any Catholics who might have been elected. They applied to Williams, who had recently been liberated at the demand of the Peers, and who was again acting as Dean of Westminster, to give permission for the removal of the communion-table at St. Margaret's to the middle of the church, at the time of the administration of the Communion. Williams

Liberation of Williams.

The communion-table at St. Margaret's.

[1] Bodvile's Diary, fol. 7.

[2] *Ibid.* fol. 6. *L. J.* iv. 89. The feeling of the Lords should be noted, as showing that they, who were not under Pym's influence, shared the same apprehension.

[3] *Baillie*, i. 274.

not only gave his consent, but expressed his readiness to do as much for every parish in his diocese.[1]

In the meanwhile Charles was looking on passively whilst Strafford's impeachment was being prepared. Hamilton, anxious to curry favour with the Commons, assured him that all was for the best. After receiving a remonstrance from the Irish Parliament, which was now entirely in the hands of Strafford's enemies, Charles acknowledged that the Lord Lieutenant might possibly have committed some actions which called for investigation.[2] He was far from acknowledging how completely the reins of government had passed out of his own hands; and when the Scottish and English commissioners met at Westminster to complete the negotiation which had been interrupted at Ripon he fully expected to take part personally in their discussions. Much to his surprise he found that the commissioners of both nations were of one mind in objecting to his presence, and he was therefore compelled to give way. The negotiation was nominally carried on between himself and the Scots. In reality it was carried on by the Scots with the English Parliament.[3]

Charles content that Strafford's impeachment shall proceed.

Nov. 19. The Scottish negotiation.

The House of Commons was busy with many matters. Every member who spoke had some particular grievance to recount, and some particular remedy to demand. There was no party organisation and no recognised leadership. It was hard to fix the attention of the House even to the most necessary subject, and a debate once begun was apt to wander away in all sorts of directions. At one time the question of the monopolies appeared to be coming into the foreground. It was ordered that all monopolists should be excluded from sitting in the House, though complaints were afterwards made that some escaped through favour. 'These men,' said Culpepper, 'like the frogs of Egypt, have gotten possession of our dwellings, and we have scarce a room free from them. They sup in our cup, they dip in our dish, they sit by our fire; we find them in the

Want of organisation in the Commons.

Nov. 9. Attack on the monopolies.

[1] *C. J.* ii. 32.
[2] *Baillie*, i. 273.
[3] Notes by Sir J. Borough, *Harl. MSS.* cccclvii. fol. 3.

dye-vat, wash-bowl, and powdering-tub; they share with the butler in his box, they have marked and sealed us from head to foot. . . . They have a vizard to hide the brand made by that good law in the last Parliament of King James; they shelter themselves under the name of a Corporation; they make bye-laws which serve their turns to squeeze us and fill their purses.'[1] At another time the ecclesiastical complaints had the precedence. The provision of money, however, would admit of no delay. On the 21st Alderman Pennington, a cousin of the sailor, and a Puritan member for the City, announced that his constituents had subscribed 21,000*l.* to the loan. It was suggested that the members of the House might be willing to offer their personal security for definite sums. Member after member rose to give his bond for 1,000*l.* In a short time facility for borrowing 90,000*l.* was thus obtained.[2]

Nov. 21. The City loan.

The members' loan.

On the 23rd the House met under circumstances of some excitement. The prospect of renewed persecution had stirred the indignation of the Catholics, and that indignation was likely to find a vent in passionate action. A justice of the peace named Heywood had possession, as justice of the peace, of a list of recusants marked out for removal from the neighbourhood of the Court and of the Houses. As he was stepping across Westminster Hall with the list in his hand, a man named James rushed at him and stabbed him with a knife. The wound was not serious, and there is strong reason to believe that the assailant was a lunatic.[3] Yet the event carried conviction to the minds of the members that the great Popish plot of which they had heard so much was indeed a reality. Pennington rose to offer a guard of three hundred citizens. Pym thought

Nov. 23. Attempted assassination of a justice of the peace.

Alarm of the House.

[1] *Rushworth*, iv. 33. *C. J.* ii. 24.

[2] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 13. D'Ewes's own diary begins on Nov. 19.

[3] On Nov. 7 a committee was ordered 'to take into consideration his lunacy' (*C. J.* ii. 37). Rudyerd stated that his brother had been mad, and that he himself had often been out of his mind (*Sir J. Northcote's Notes*, 11).

that the best means of meeting the evil was to put in execution the penal laws. Sir Thomas Jermyn sensibly argued that a guard at the doors of the House would only protect the members when they were all in one place and well able to protect themselves. Holles replied that every man must take care of himself when he was alone, but that the real danger was 'a general assassination.' The feeling of the House was for the acceptance of Pennington's offer. Common sense prevailed in the end, and the idea was abandoned. James, however, was not to be allowed to escape. A committee appointed to consider his case, recommended that a Bill should be prepared enacting that 'this fact of his' should be held to be felony.[1]

Multifarious as the business of the House was, the preparation of the evidence against Strafford occupied the greater part of the attention of its most important members. Of the committee appointed for this purpose, Pym was the leading spirit. He obtained from the Lords an order authorising the examination of Privy Councillors upon oath, in order to enable him to substantiate the charges which he intended to found on the notes taken by Vane.[2]

Nov. 24. The evidence against Strafford.

The preliminary charge—as yet it had not assumed its final shape—consisted of seven articles. The gist of them all lay in the first. The Commons were asked to declare 'that Thomas, Earl of Strafford, hath traitorously endeavoured to subvert the fundamental laws and government of the realms of England and Ireland, and instead thereof to introduce an arbitrary and tyrannical government against law, which he hath declared by traitorous words, counsels, and actions, and by giving his Majesty advice by force of arms to compel his loyal subjects to submit thereunto.' He had, it was added, been as greedy as he had been tyrannical. He had converted to his own use large sums belonging to the King at a time when the army was unpaid. He had given encouragement to Papists with the object of gaining their support to his evil designs. He had maliciously stirred up

The preliminary charge against him.

[1] *C. J.* ii. 37.

[2] *L. J.* iv. 95, 96.

enmity between England and Scotland, and had designedly betrayed Conway to his destruction at Newburn, in order to make the quarrel between the two nations irreconcilable. Finally, with a view to self-preservation, 'he had laboured to subvert the rights of Parliaments, and the ancient course of parliamentary proceedings.'[1]

Grounds of the impeachment.

On these grounds Strafford was to be impeached as a traitor. We cannot wonder that so it was to be. If no candid investigator of Strafford's actions can for a moment admit that he was capable of stirring up strife from motives of personal ambition, there can be no doubt that, on every point, Pym had some evidence upon which, in his ignorance of the true key to his great opponent's character, he might be justified in arriving at the conclusions to which he came.[2]

Nov. 25. The charges carried up to the Lords.

These charges were at once adopted by the Commons. On the 25th they were carried up to the Lords, and Strafford was immediately committed to the Tower. In all that was done, the prisoner saw nothing but a fresh revelation of the malice of his enemies. He at least was not likely to recognise his own lineaments in this distorting mirror.

Dec. 13. Strafford's letter to his wife.

"As to myself," he wrote, not long afterwards to his wife, "albeit all be done against me that art and malice can devise, . . yet I am in great inward quietness, and a strong belief God will deliver me out of all these troubles. The more I look into my case, the more hope I have, and sure if there be any honour and justice left, my life will not be in danger; and for anything else, time I trust, will salve any other hurt which can be done me. Therefore hold up your heart, look to the children and your house, let me have your prayers, and at last, by God's good pleasure, we shall have our deliverance, when we may as little look for it as we did for this blow of misfortune, which I trust will make us better to God and man."[3]

[1] *L. J.* iv. 97.

[2] For Pym's speech see Nortncote's *Diary*, where Lord T. is Thomond, not Dillon, as suggested by the editor. In the *Somers Tracts*, iv. 209, is to be found a brief abstract of this speech, though the name of the speaker is not given.

[3] Strafford to Lady Strafford, Dec. 13, *Biog. Brit.* vi. 4182.

It would still be long before the trial could begin. There were witnesses to be brought from Ireland, evidence to be mustered and tested, managers to be chosen and instructed. All this had to be done in the intervals of the most pressing business. The Scottish claims admitted no delay. The commissioners of the two nations, meeting without the presence of the King, had easily found a formula by which Charles was to bind himself to accept those laws against which he had struggled so persistently. This had been followed by a demand which was far more galling than the mere abandonment of power. Charles was asked to send the incendiaries, as his advisers during the late troubles were called, for trial before the hostile tribunal of the Scottish Parliament. Naturally he struggled hard against the proposal that he should deliver up to the vengeance of their adversaries men whose fault was that they had served him too faithfully. He replied that his courts were open to every complainant. The promise required of him that he would not intervene to pardon offenders he could not be induced to give.[1]

The trial delayed.

Nov. 23. The negotiation with the Scots.

Dec. 3.

Dec. 11.

The English Parliament was ready to support the Scots. Money had been got together and sent to relieve the two armies in the North. On December 10 it was voted that, instead of 100,000*l.*, as had been originally proposed, two subsidies, equivalent to about 140,000*l.*, should be granted.[2] The Puritan tide had been rising steadily. On November 28 Prynne and Burton entered London in triumph. At least a hundred coaches, a thousand horsemen, and a countless crowd on foot followed them in procession. On December 4 Bastwick returned amidst the applauses of a no less numerous throng. Their cases, together with those of Lilburne and Leighton, were ordered to be taken into consideration. In London, at least, public feeling was

Money sent to the North.

Dec. 10. Two subsidies voted.

Nov. 28. Return of Prynne and Burton.

Dec. 1. Their cases to be examined.

[1] The Scottish Commissioners in London to the Committee at Newcastle, *Adv. Libr. Edin.* 33, 4, 6. Notes by Sir J. Borough, *Harl. MSS.* ccccl vii. fol. 10-27. *Rushworth*, iv. 366. *Baillie*, i. 279.

[2] *C. J.* ii. 49.

running strongly in the direction of Presbyterianism. Even the scheme of the Separatists was not without support amongst the small tradesmen and artisans; but in the face of the common enemy all divisions of opinion were for the present waived. It was said that when bishops were removed, and the ceremonies abolished, it would be easy to agree on the plan of the new house to be erected on the ruins of the old one.[1]

Growth of Presbyterianism.

As yet the work of destruction was in full swing. The conviction that the Catholics had been treated with undue favour at Court, was continually receiving fresh support, and they were likely to pay a heavy penalty for their entanglement in political strife. Orders were given to weed out the Catholic officers from the northern army.[2] A sharp report from Glyn pointed out that for some time priests and Jesuits had been almost entirely untouched by the recusancy laws. During the last seven or eight years no less than seventy-four letters of grace had been issued in their favour. Most of these had been signed by Windebank. On this report the House took sharp action. It directed the justices of the peace in and around the capital, to proceed against recusants according to law, notwithstanding any inhibition. Windebank was sent for, that he might give account of his interference.[3]

Nov. 30. Action against the Catholics.

Dec. 1. Glyn's report.

Dec. 3.

Dec. 4. Windebank sent for.

Windebank had but obeyed the orders given to him, however cheerfully he may have carried out his instructions. He was not the man to face his enemies as Strafford had faced them. It may be that the secret of the request which he had made to Rossetti for Papal troops and Papal gold to be employed against his countrymen, weighed heavily on his mind. He kept out of the way as long as it was possible to conceal himself, and when concealment was no longer possible, he fled beyond the sea, with the King's connivance. He arrived in France bearing letters of introduction written by the Queen herself.[4]

Dec. 10. Windebank's flight.

[1] *Baillie*, i. 275. [2] *C. J.* ii. 40. [3] *C. J.* ii. 44.

[4] *Rushworth*, iv. 91. Giustinian to the Doge, Dec. $\frac{11}{21}$, *Ven. Transcripts, R. O.*

The treatment which the Catholics were receiving at the hands of the Parliament had roused the Queen to a heat of indignation which made her capable of any folly. Before the end of November, in spite of her rebuff in the preceding spring, she had renewed her application to Cardinal Barberini for money. She informed him that 125,000*l.* might be usefully spent in bribes to the Parliamentary leaders to induce them to deal more gently with the Catholics.[1] Her temper was not softened when, a week or two after the proposal was made, she herself received a warning that she would do well to dismiss her Catholic servants. She replied proudly that she would rather dismiss the Protestants, and fill their places with persons of her own religion. Yet so powerless did she feel in the early part of December, that she recommended Rossetti to leave England, on the ground that it was no longer possible to protect him.

The Queen's irritation.

She applies to Rome for money.

In these days of weakness, when the Queen and her husband were alike feeling the bitterness of obedience where they had been accustomed to command, the idea of the Dutch marriage rose before their minds as a means of escape from their difficulties. On December 10, the very day of Windebank's flight, Charles announced to the Privy Council that he had given his consent to a marriage between Prince William of Orange and his second daughter, though well-informed observers were aware that if a fresh application were made for the hand of the Princess Mary it would not now be refused. Yet even those who prided themselves on their knowledge of the King's intentions, did not know all his secret. In reality Charles was looking for help of a very substantial kind from the father of the bridegroom. He believed that Frederick Henry might be induced to mediate between himself and the English Parliament, and he had little doubt that the result of that mediation would be entirely in his own favour. It cannot be said certainly whether he already contemplated the landing of Dutch troops in England to support him against his own subjects. Frederick

The Dutch alliance.

Proposed Dutch intervention.

[1] Barberini to Rossetti, Jan. $\frac{16}{26}$, *R. O. Transcripts.*

Henry, as his subsequent conduct shows, was capable of attempting to re-enact the sorry part which had been played by St. Louis at Amiens, but it may be that Charles would for the present be content with merely moral support. He at once took a higher tone than he had done since the meeting of Parliament. He would not allow the Houses, he said, to punish his servants.[1] A few days after these words were uttered, Laud was impeached, and Finch had fled to Holland.

The foundations for an attack upon the Lord Keeper were already laid. On December 7, on St. John's report, the House resolved that ship-money was an utterly illegal impost, and that the judges who had declared the contrary, had acted in defiance of the law. To this result no man contributed more than Falkland. Small of stature and without any advantages of voice or person, he placed himself at once in the first rank of Parliamentary orators. Burning indignation against wrong gave light and strength to his words. His ideal commonwealth was indeed very different from that of Pym. He was not anxious to put an end to the meddlesome interference of the few, merely to give free scope to the meddlesome interference of the many, and he would be sure to distrust any system which threatened to lay intellectual freedom at the feet of a Parliamentary majority. On the point for the moment at issue he was, however, at one with Pym, and in expressing the opinion which he had formed he was far more vehement and impetuous. He took no account of the natural tendency of the judges to give a hard and legal form to the political ideas which were floating in their minds, and he treated their arguments as an insult to common sense. They had seen danger from an enemy where danger there was none. It was strange that they saw not the law, which all men else saw but themselves. He then proceeded to reason that there was now no more question whether the judges were to be punished or not for past offences. Men who had delivered

Dec. 7. Resolutions against ship-money, supported by Falkland.

[1] Giustinian to the Doge, Nov. $\frac{20}{30}$, Dec. $\frac{4, 12, 18}{14, 22, 28}$, *Ven. Transcripts*, *R. O.* Vane to the Prince of Orange, Dec. 11, *Groen Van Prinsterer*, Ser. 2, iii. 206.

such opinions could not safely be left on the Bench. They were the advisers in all legal matters of the House of Lords. If the law was to regain its force, they must be punished and removed. Had not Finch declared that the power of levying ship-money was so inherent in the Crown that it was not in the power even of Parliament to take it away? Had he not gone round to solicit the judges to give opinions against their knowledge and conscience? Yet it was this man who was now the Keeper of his Majesty's conscience, and was always ready to infuse into his mind opinions hostile to his Parliament.

He is seconded by Hyde.

Falkland was at once supported by his friend Hyde. Hyde's legal mind was shocked at the action of the judges, not so much because they had defied the nation, as because they had brought the law into disrepute. He moved that the eight judges who were left on the Bench out of the twelve who had sat on it in Hampden's case might be asked to reveal the solicitations to which they had been subjected. The report of their answers was not favourable to Finch, and at Falkland's motion, orders were given to draw up a charge against him.[1]

Dec. 21. Finch defends himself before the Commons.

Before the day arrived, when the impeachment of the Lord Keeper would finally be decided on, Finch unexpectedly sent a request to be heard by the Commons. On the 21st he appeared, and was received by the House with all the honour due to his office. The manner in which his defence was made extorted admiration even from his bitterest opponents. There can be little doubt that, harsh and insolent as he was, his most outrageous arguments had resulted from an honest conviction that he was in the right. Yet he could hardly have expected that any justification of his conduct would find favour with the audience to which it was addressed. His defence seemed to the Commons to have been an aggravation, rather than a mitigation, of his offence. Sir Thomas Jermyn, the Comptroller of the Household, asked 'whether this were a treason within the statute or by the construction of the House.' Pym loftily replied, 'that to endeavour the subversion of the laws of this

[1] *Rushworth*, iv. 86. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 55.

kingdom was treason of the highest nature.' "'Tis treason," said Hyde, "to kill a judge, much more to slay justice itself." The vote for the impeachment of the Lord Keeper as a traitor was carried with scarcely a dissentient voice.[1] That night Finch followed the example which had been set by Windebank.

His flight, and impeachment. After an interview with Charles, he fled across the sea in a vessel belonging to the Royal Navy. He chose the Hague as the place of his exile. It was a matter of course that his impeachment was now finally voted, and at the same time six of the judges who were selected as sharing his offence in the matter of ship-money were ordered to give security that they would appear whenever they were called for.

Dec. 23.

On the political questions before the House, on the impeachment of Strafford and Finch, on the condemnation of ship-money, and on the necessity of defensive measures against the Catholics, the House was practically unanimous. No Royalist party was in existence. The few Privy Councillors who had a seat in the House—Vane, Roe, and Jermyn—had no power and probably no wish to defend the fallen system.

Unanimity of the House.

Division, if it came at all, would come from another quarter. Whatever difficulties might arise about the political system to be substituted for that which had failed so utterly, men were pretty well agreed as to the general character of the institutions which they desired to found. They wanted to restore the reign of law in combination with the authority of Parliament. With respect to religion they were far from being equally unanimous, and they had an instinctive feeling that it was here that the seeds of future division were to be found. On the 11th a violent petition for Church-reform and the abolition of Episcopacy, signed by 15,000 Londoners, was presented to the House. An approving crowd of some 1,500 persons followed it into Westminster Hall. For the first time opinion in the House was seriously divided. "There were many against, and many for the same."[2]

Dec. 11. The London petition against Episcopacy.

[1] *Rushworth*, iv. 124. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 90.

[2] The Scottish Commissioners in London to the Committee in Newcastle, *Adv. Libr. Edin.* 33, 4, 6.

Yet, in spite of Vane's official objection that many of the petitioners were Brownists, the Commons resolved to take their prayer into consideration on the 17th. When, however, the 17th arrived, it was discovered that the House was too busy to attend to it for the present, and the subject was postponed to a more convenient season.

Its consideration postponed.

Yet, if the House was not as yet prepared to discuss the merits of Episcopacy, it was resolved to put an end to that clerical domination which had been the most generally obnoxious part of the Laudian system. Of this domination the late canons and the etcetera oath were regarded as the most complete expression, and when the question of their legality was moved by Rouse there was no wish to evade the discussion. Yet even on this ground a small knot of members threw themselves athwart the prevailing current.

Dec. 9. Attack on the new canons.

Dec. 15. Holborne's argument in their favour.

Holborne, who had shared with St. John the glory of the defence of Hampden, broke away from the majority on the ecclesiastical question. Convocation, he argued, was an independent body, entitled, with the King's assent, to bind both clergy and laity, so long as its canons did not come into conflict with the law of the land. In former reigns, canons had been made which had never been confirmed by Parliament. "If we be of the Church," he expressly added, "the canons must bind us." To Holborne's assertion that the laity were bound by the clergy in Convocation, St. John replied by the counter-assertion that Convocation was unable, unless its canons were confirmed by Parliament, to bind even the clergy. When it was put to the vote that the late canons bound neither the clergy nor the laity, not a single voice was raised in the negative.

The next day the obnoxious canons were voted to have been illegal. It was impossible, in such a discussion, that Laud's name should be forgotten. One member asked whether there had not been 'a principal solicitor here' as there had been amongst the judges. Sir John Hotham suggested that there was good reason to accuse Laud of treason. Pym was of the same opinion. On the 18th Grimston gave voice to the general feeling. 'The Archbishop,'

Dec. 16. The canons voted to be illegal.

he said, 'was the root and ground of all our miseries.' He had preferred Strafford, Windebank, Wren, 'and all the other wicked bishops now in England,' to their places. At Pym's motion a messenger was sent to the Lords impeaching the Archbishop of high treason. The Lords at once sequestered him from Parliament, and committed him to custody. At the same time they directed that Bishops Wren and Pierce, over whom charges were impending, should give security for their appearance whenever they were sent for.[1]

Dec. 18. Laud impeached of treason.

Whether Laud's offence was properly characterised as treason or not, there can be no doubt in what his offence consisted. If the expression—the fundamental laws of England—meant the supremacy of Parliament, Laud was as guilty of assailing them as Strafford had ever been. Modern writers frequently speak of him as if he were altogether contemptible. Contemporaries were of a very different opinion. They believed that he was even more dangerous than Strafford could possibly be, and there can be little doubt that, from one point of view at least, contemporaries were in the right. Strafford's vigour and energy would but last for his own lifetime: Laud was engaged in the completion of an instrument which would outlive himself. The forces of Calvinism once expelled, the Church would, as he hoped, at last realise the ideal of the Reformation, and stand forth clothed in the authority of a pious king, as the enlightened guide in all spiritual matters of a willing and submissive people. Laud's enemies might well struggle against such development of influence. It was indeed a formidable thing that such a man as Laud should have in his hands the whole teaching power of England, and thus be able to train those to whose utterances the nation was Sunday by Sunday constrained to listen, and who were sure to inculcate the duty of obeying the King at least as loudly as they inculcated the duty of serving God. Yet, if contemporaries were right in fearing Laud in the day of his power, it may well be asked whether they had still any reason to fear him in the day of his weakness. No doubt if the Commons had had but to reckon with Laud and

Nature of Laud's offence.

[1] *C. J.* ii. 54. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 72, 82, 86.

Strafford alone, they might have taken courage. In favour of the fallen ministers not a voice had been raised, nor was likely to be raised. Unhappily for the authors as well as for the victims of Parliamentary vengeance, it was already an open secret that Laud and Strafford did not stand alone, and that Charles was only prevented by his fears from favouring them again as he had favoured them before. The one thing which would enable Parliament to be magnanimous was the knowledge that there existed in England a government which it could trust.

In the midst of these attacks on the ministers of the Crown the Commons had not been unmindful of the effect which was likely to be produced on Charles himself. They had made an effort to win him over by providing for his necessities. St. John had reminded the House that now that ship-money and the monopolies had been declared illegal, the King was poor. He called on the members 'to provide a high subsistence for his Majesty.' A message was accordingly sent to the King for permission to take into consideration the expenditure of the Crown. Leave was granted, and it was resolved to set Charles's finances in order as soon as the Christmas vacation was over. That it might be seen that the proper wants of the Crown would be dealt with in no niggardly spirit, two additional subsidies, making four in all, were voted as a security that the armies in the North should not be neglected.[1]

Dec. 19. The King's revenue.

Dec. 23. Two more subsidies granted.

What possibility was there that Charles would be really soothed by any attention to his material interests? The power which he held to be rightfully his own had been wrested from him. The statesmen whom he honoured had been thrust into prison, or compelled to find safety in flight. The Church, of which he believed himself to be appointed by God and the law as the special guardian, was about to become a prey to confusion. Worse than all, men were honouring him with their lips, whilst they set at naught every injunction which he gave. It might be said of him, as was afterwards said of another sovereign whose

Effect of the proceedings of Parliament upon Charles.

[1] D'Ewes's Diary, *Harl. MSS.* clxxii. fol. 73, 97. Northcote's *Diary*, 59.

misfortunes might be paralleled with his own, that a "king circumstanced as the present, if he is totally stupefied by his misfortunes so as to think it not the necessity, but the premium and privilege of life, to eat and sleep, without any regard to glory, can never be fit for the office. If he feels as men commonly feel, he must be sensible that an office so circumstanced is one in which he can obtain no fame or reputation. He has no generous interest that can excite him to action. At best, his conduct will be passive and defensive. To inferior people such an office might be matter of honour. But to be raised to it, and to descend to it, are different things, and suggest different sentiments."[1]

The Queen at least had no intention of acquiescing in the position which Parliament was creating for her and her husband.

The Queen protects Rossetti,

The Dutch alliance had filled her with unbounded hope. She bade Rossetti to remain at his post; and though he was recommended to sleep every night at St. James's, under the shelter of the Queen Mother's roof, he was told that the King would not withdraw his protection from him. Why, she asked her confessor, Father Philips, would not the Pope send aid to her, as he had done to the Emperor? Philips repeated, what Rossetti had said to her some months before, that, unless her husband were a Catholic, help could not be given. The Queen answered that if the King declared himself a Catholic he would be at once deposed. He had neither soldiers nor money at his disposal, and the Catholics, therefore, would inevitably receive damage rather than advantage. When Philips reported this conversation to the Pope's agent, Rossetti replied that the times were not opportune for a war of religion. It would be better to ask the King of France to interfere, on the ground that his sister had been deprived of the advantages promised her in her marriage treaty, or that his nephews were being wronged by the diminution of that sovereignty to which they were the heirs, or simply that his sister and her husband were unjustly deprived of their rights. He

and begs again for help from the Pope.

Philips suggests an application to France.

[1] Burke's *Reflections on the Revolution in France.*

might expect to have in this the help of the Dutch. When the King had in this way been restored to his authority, he would see that it would be impossible to maintain himself without crushing Puritanism, and that he could only expect to do that by union with the Catholic Church. Philips then proceeded to assure Rossetti that the Queen had promised him that if the Pope would send her money, the King, on regaining his authority, would grant liberty of worship in all his kingdoms.

The Queen declares that the King will, if successful, grant liberty of worship.

If Pym and his allies had been striking in the dark when they declared themselves convinced of the existence of a Popish plot, they were not striking altogether at random. No doubt, if they had been more tolerant, there would have been no plot. Evil begets evil, and the hard measure which they were dealing out to the Catholics led to this invitation to a foreign priest and a foreign king to intervene in the affairs of England.

What part Charles had in the matter cannot now be known. It is most improbable that the Queen kept her plans a secret from him. If the Commons were left in complete ignorance of these and similar projects, there was enough in Charles's bearing to teach them that he bore no good-will to the cause in which they were engaged. Charles had not the art of inspiring confidence where he felt none. So elated was he shortly before Christmas with the vague hopes of assistance which he had conceived, that he spoke openly to Bristol of his intention to resist the demands which Parliament was certain to make. "Sire," replied the plain-spoken earl, "you will be forced to do what you do not wish."[1]

Charles probably informed.

Charles intends to resist Parliament.

Under the growing feeling that a contest with the King was imminent, it behoved the popular leaders to provide for the unwelcome contingency. Pym had already pointed out that the main source of the evils under which the country had suffered was to be found in the long intermission of parliamentary life. It was absolutely necessary that, before the Scots were dismissed from England,

Dec. 24. Strode brings in a Bill for Annual Parliaments.

[1] Rossetti to Barberini, $\frac{\text{Dec. 25}}{\text{Jan. 4}}$, *R. O. Transcripts.*

and a permanent revenue was voted to the Crown, provision should be made that no such intermission should again occur. On December 24, the day on which the Commons held their last sitting before the short Christmas vacation, Strode brought in a Bill for Annual Parliaments. If in every year the King had not issued writs for the elections before the first Tuesday in Lent, the returns were to be made without the usual intervention of the Crown. In future no Parliament was to be dissolved within forty days after the commencement of the session, unless the consent of both Houses could be obtained.

Though Charles knew well how favourable was the presence of the Scottish army in the North to the pretensions of Parliament, it was only with considerable reluctance that he agreed to a reasonable compromise on the point of the incendiaries. The Scots themselves suggested a way out of the difficulty. Let the King at least engage not to employ about his person any man who had been sentenced by Parliament. To this Charles, though after some hesitation, at last assented.[1]

Dec. 30. Charles's concession to the Scots.

The Commons had allowed themselves no more than four days' vacation at Christmas. When they met again they took up the question of the King's revenue. So loose had been the system which had prevailed in the exchequer that no balance-sheet later than that of 1635 was to be found, and the Commons had to wait till the proper information could be obtained.

Dec. 29. The King's revenue.

Before that time arrived the relations between Charles and his Parliament had become such as to render it unadvisable to place him in possession of sufficient revenue to cover his expenses. On December 30 the Annual Parliament Bill was read a second time, at Cromwell's motion. During the past weeks Cromwell had been steadily rising in the estimation of the House. His cousinship with Hampden had doubtless introduced him to the companionship of men of influence, but it is certain that he owed more to himself than to his friends. His strong and

Dec. 30. Cromwell and the Annual Parliament Bill.

[1] The reply of the Scottish Commissioners, Dec. 23. The last answer of the English Commissioners, Dec. 30, *Adv. Libr. Edin.* 33, 4, 6.

vehement Puritanism would be sure to secure him the sympathy of many members; but his special strength lay in his prompt appreciation of the practical necessities of the day. Others might be able to look farther into the future, or might have a wider grasp of constitutional principles. No one was so ready as Cromwell in keeping the House in mind of the action which was needed to maintain a hold on the immediate present.[1]

Whilst the constitutional struggle was being fought out at Westminster, the Northern army was ready to disband for want of pay. Money had been sent, but it had been sent slowly and irregularly, and there was a disposition in the House of Commons to favour the Scots, whom it trusted, rather than the English, whom it distrusted. The House refused to listen to a proposal that the officers should be entrusted with the power of martial law. An early day was, however fixed for pushing on the Bill of Subsidies.

Dec. 31. State of the Northern army.

At the same time attention was drawn to the army which had been levied under Strafford's authority in Ireland. That army, as Sir Walter Erle reported, numbered about 9,000 men. It was now scattered over Ulster. It was mainly composed of Catholics, and a detachment had 'seized on Londonderry, and said mass in the church.' A message was at once sent to the Lords to ask for a conference on the threatening peril.

1641. Jan. 4. The Irish army.

Before the conference took place, a discussion arose which it is difficult to report without a smile. Some days before, a Mr. Harrison, one of the farmers of the Customs, and a member of the House, had advanced 50,000*l.* on the security of the coming subsidies. As a reward for his patriotism he had been knighted by the King. He had also done a good stroke of business by securing the favour of the Commons, as it was almost certain that there would be an unpleasant investigation into the conduct of the farmers in collecting tonnage and poundage without a Parliamentary grant. In addition to his increased chance of immunity, Harrison

Harrison's loan.

[1] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 101. This characteristic of Cromwell, which shows itself already, comes out much more strongly in the spring and summer of 1642.

expected to receive interest upon his loan at the usual rate of 8 per cent. An unexpected difficulty arose. He was told that the Act of Parliament which had prohibited a higher rate, had expressly refused to countenance the taking of interest at all, 'in point of religion or conscience.'

Questions whether interest was lawful.

The problem was solved by a member who had already acquired a hold of a certain kind upon the assembly. The part played by the Speaker in a modern House of Commons in regulating the debates by an appeal to the precedents of former times, was one for which Lenthall was little qualified. Sir Symonds D'Ewes was just the man to supply his deficiencies. His lifelong studies in the legal antiquities of the country enabled him, with the aid of an excellent memory, to produce on the spur of the moment any precedent that might be needed. In this way he acquired an authority in the House, so long as no higher statesmanship was required than his pedantic self-complacency had at command. He now came to the rescue of the members in their difficulty. To take or pay interest, he said, was undoubtedly held to be unlawful by the Church and law of England; but it had never been held to be wrong to pay a man damages for the loss which he suffered by abandoning for a time the use of his capital. The House caught at this sapient deliverance. The word 'damages' was substituted for the word 'interest,' and everyone was content.[1]

Position of D'Ewes.

He solves the problem.

On the 7th there was a fresh report by Erle on the Irish army. The number, he said, 'was great, near upon 10,000, all or most of them papists.' All the strong places in the North of Ireland were in their hands. Strafford was still their general, and many of the officers were in the habit of repairing to him in the Tower. It would be well to ask the Lords to concur in a petition that this army might be disbanded. Vane's official reply was not likely to allay the suspicion felt. He said that the Irish army ought not to be disbanded till the Scottish army was disbanded also. Charles, in fact, was well aware that he could not for the moment

Jan. 7. The Irish army again.

[1] D'Ewes's Diary, Jan. 4, *Harl. MSS.* clxii. fol. 116.

venture to strike at those whom he regarded as his enemies. Yet he would not deprive himself of the power of striking at some future time. It was not in his nature to throw himself frankly on his subjects' loyalty, and to evoke the sympathies which he had lost by a hearty co-operation with the Commons in the work which they had on hand. If he could have done that he might have saved himself, and might, perhaps, have saved Strafford as well. By weakness and hesitation, by hankering after the employment of a force which he had neither the power nor the resolution to wield, he was raising the barrier between himself and his subjects higher and higher every day. Distrust at last would make the breach inevitable by driving the Commons to demands which it was impossible for a king to concede, but which would never have been made if they had been able to repose confidence in him. The wisdom of coming quickly to an agreement with his adversary was never understood by Charles.

CHAPTER XCVI.

THE TRIENNIAL ACT, AND THE ECCLESIASTICAL DEBATES.

THERE was nothing in Charles's mind repugnant to the idea of asking for foreign support against the English nation. Twice already he had attempted to procure foreign troops to serve him against the Scots, and he was equally ready to make use of foreign troops to serve him against the English. The habit of regarding his own authority as something distinct from the nation, prevented him from feeling, as Elizabeth would have felt, that there was anything disgraceful in appealing to foreigners for assistance against his own subjects.

1641. January. Charles's feeling about accepting foreign aid.

When, on January 6, the Dutch ambassadors, who had come to make a formal demand for his daughter's hand, had their first audience, there can be little doubt that he was by this time under the impression that, in case of extremity, the Prince of Orange would be ready to give him material assistance in the maintenance of his authority in England. But though he had no objection to accept that assistance if things came to the worst, he was not quite certain that things had yet come to the worst. Appearances were against the Parliament; but, after all, a better spirit might prevail. On three points he would never give way. He would never consent to pass a Bill for Annual Parliaments, or one for the abolition of Episcopacy, or to allow any of his ministers to be put to death without his free consent. If any one of these points were insisted on, he would at once dissolve Parliament, and obtain aid from Holland to protect him against the popular insurrection which was likely to follow. As yet, however, matters had not come to this pass. There was even hope that the King's chief opponents would

Jan. 6. First audience of the Dutch ambassadors.

come to blows with one another. Now that the question of the incendiaries had been settled, the negotiators on the part of England and Scotland were disputing over the amount of money to be paid to the Scots in compensation for their expenses in the war. It was thought at Court that the English Parliament was likely to take offence at the exorbitance of the Scottish demands. If a breach ensued, the King would have everything to gain. He would find himself engaged in a national war against the Scots, and would be in a far stronger position than if he were merely at the head of a Dutch force sent to defend the Royal authority against his recalcitrant subjects.[1]

Progress of the negotiation with the Scots.

[1] There is nothing in any published documents which throws further light on this offer of the Prince of Orange, and no engagement to assist Charles with troops is known to have been afterwards given. It will be seen, however, that there are strong reasons for thinking that money was paid by the young Prince at the time of the marriage, and at a later time actual assistance seems to have been contemplated. Rossetti says that Father Philips came to ask him whether he had yet written to Rome on the subject of the money which had been asked for. The Father expressed satisfaction on hearing that the request had been forwarded, and told him that the Queen had spoken about it again, adding 'che il Rè ancora non sapeva quali aiuti gli fussero potuti bisognore, non essendo totalmente disperato del Parlamento, ma quando succedesse il caso que da Nostro Signore gli si somministrasse in qualche maniera forze, il Rè almeno s'indurebbe a permettere la libertà di conscienza in tutt' i suoi Regni, non importando la qualità del tempo il far in ciò maggior dichiaratione et, a questo dal Padre Filippo mi fu aggiunto che egli havrebbe havuto ancora ottima speranza del Rè medesimo, il quale, oppresso così malamente dallo spirito di questi Puritani contumaci, hora maggiormente conosce non haver eglino altro fine se non la distruttione dell'autorità Regia, non havendo egli voluto credervi o aplicarvi per il passato, e però esso mi diceva pensare che l'intentione di S. Mtà fosse di voler vedere à che segno sia per mettersi questo Parlamento, e che cosa ne possa cavare con minor pregiuditio possibile della Corona, poi determinarsi a quelli espedienti che credesse essere più adequati alla qualità del bisogno, poichè se il Parlamento premerà per levare i Vescovi (benchè ciò non si creda) o voler similmente che ogni anno si tenga Parlamento, quando anchè non vi concorra il consenso di S. Mtà, e condannare alla morte senza che la sentenza sia sottoscritta di mano Regia, in questo caso si tiene che il Rè vi si vorra opponere con discogliere il Parlamento, sperando di poter in ciò prevalersi delle forze al presente delli Olandesi promesseli per conditione matrimoniale, et in simil maniera assicurarsi dalle sollevationi popolari, e sottrahere la casa Reale dai pericoli che potrebbono

That the Queen had her full share in these resolutions—if at least, any of Charles's imaginings can be dignified with the name of a resolution—is beyond all doubt. By this time she had more cause than ever for personal irritation. So great were the straits to which the Court was reduced by the poverty of the Crown, that Charles had been forced to announce that he could no longer keep open table, according to custom, for the members of the Upper House during the session of Parliament. What was more annoying still, he had been unable to pay to the Queen Mother the allowance which he had granted to her, and she had consequently been obliged to sell her jewels and her horses, and to dismiss her servants.[1]

Poverty of the Court.

The Queen Mother's allowance stopped.

Some time would elapse before an answer could be received from Rome, or the question of peace or war with the Scots could be finally determined. The possibility that Parliament might demand the dismissal of Rossetti drove Henrietta Maria to open a negotiation with some of the leading members of both Houses. She had some hope that they would be ready to please her in opposing the agitation for the removal of the Papal Agent,

Jan. 8. Henrietta Maria negotiates with the Parliamentary leaders.

soprastare, se non si trovasse prontamente armato, ma perchè gli Olandesi promettono queste forze, acciò venga conservata l'autorità Regia che il Rè non sia strapazzato, et che il popolo non si sollevi, dicendo che quando si trattava di queste tre cose saranno sempre dalla parte del Rè con l'armi, ma mentre le medesime cessaranno non intendono che prende principio la guerra, se bene hora il Parlamento procura di darli ogni sodisfattione, havendo ancora aggiustato che per un altro mese la tregua debba durare, et hanno già pagato il danaro per mantenimento del essercito Scozzese. Tutta la difficultà starà sopra le pretensioni che hanno delle spese già fatte, e sin hora sta in ambiguo che cosa ne debba seguire, ma ben presto si sentirà, come vien creduto, qualche risolutione; et se venissero rotture tra gl' Inglesi et Scozzesi sarebbe molto avantaggioso per il Rè, poichè la guerra diventarebbe nationale, et in questo modo potrebbe S. M^tà sostenerla là dove, quando fosse particolare, gl' Olandesi per conditione del matrimonio faranno partiali a difendere l'autorità Regia.' Rossetti to Barberini, Jan. $\frac{8}{18}$, *R. O. Transcripts*.

[1] Giustinian to the Doge, Jan. $\frac{7}{17}$, *Ven. Transcripts*, *R. O.* Rossetti to Barberini, Jan. $\frac{15}{25}$, *R. O. Transcripts*.

because she knew that they were anxious to remain on good terms with France, and she believed that the new French ambassador, who was expected shortly to arrive in succession to Bellievre, would bring instructions to insist that her intercourse with the Pope should not be disturbed.[1] The Queen's overtures were shortly followed by rumours of impending official changes.[2] Cottington, anxious to escape from the storm, was ready to surrender the Chancellorship of the Exchequer and the Mastership of the Court of Wards. The simple-minded Juxon would certainly not cling to the Lord Treasurer's staff; and the vacancies thus made might be filled with some of the lords who had hitherto taken part against the Crown. The rumours thus raised died away almost as soon as they were heard of. There is nothing to induce the belief that any serious concession to the popular demands was intended. No doubt the persons to whom application was made refused to make any promise about Rossetti, and for the present the negotiations came to an end.

Rumours of official changes.

The hope that the English Parliament would quarrel with the Scots was next in order. On the 12th the Scottish demands were formally announced to the two Houses by the special direction of the King. It is no wonder that he counted on the provocation which they would give. The Scots reckoned their expenses in the late war at 785,628*l.* Of this they were willing to put 271,500*l.* out of account. Of the remainder, or 514,128*l.*, they offered to bear as much 'as the Parliament should find reasonable, or us able.' The claims thus made did not take account of the now considerable sum due for the maintenance of their army, which had been accruing since the signature of the Treaty of Ripon at the rate of 850*l.* a day. The claim of the Scots on this head had now been running on for many weeks, and was likely to run

Jan. 12. The Scottish demands.

[1] Rossetti to Barberini, Jan. $\frac{8}{18}$, *R. O. Transcripts.*

[2] The first mention of these proposed changes which I have met with is in Salvetti's *News-Letter* of Jan. $\frac{15}{25}$. As this contains a week's news, the rumour may have sprung up on any day between the 8th and the 15th.

on for many more.[1] Such a demand was sufficiently startling; but, in the face of the known sentiments of the King, it was impossible to reject it. Bristol, as a Commissioner, had fought hard against it. "When the Scots," he said, in announcing their resolution to the Houses, "made this vast proposition, it startled me to think what a dishonour was fallen upon this ancient and renowned nation; but when I considered that this dishonour fell upon us by the improvidence and evil counsels of certain bad instruments, who had reduced his royal Majesty and this kingdom to these straits, I well hoped the shame and part of the loss would fall upon them."[2]

Bristol recommends their acceptance.

On the 23rd the Scottish demands were taken into consideration by the Commons. There was much difference of opinion. The Scots had many enemies in the House. Some of these suggested that they should have nothing till they had left England.[3] Others thought that the money needed to pay them should be raised out of the estates of the incendiaries. In the end it was voted in general terms that a friendly assistance should be given,

Jan. 23. They are taken into consideration by the Commons.

[1] Borough's Notes, *Harl. MSS.* ccclvii. 50. D'Ewes's Diary, *Harl. MSS.* clxii. 140. *Baillie*, i. 289. It is seldom indeed that any complaint has to be made of Mr. David Laing's editing, but he has here made Baillie write pure nonsense. In his edition the passage runs: 'The particular compt was given with the demand; a scrole of two hundred and fiftie thousand pound sterling, which we putt out of compt, five hundred and fourteen thousand pound [Scots] whereof we offered to bear ourself such a proportion as the Parliament should find reasonable or us able.' I would suggest the following changes. 'A scroll of 250,000*l.* sterling which we put out of compt [and] 514,000*l.*, whereof we offered,' &c. This agrees with Borough's notes, which it should be remembered Mr. Laing had not seen. Since this was written I have seen the full account in the MS. in the Advocate's Library (33, 4, 6). The exact sum put out of account must be the 271,500*l.* there charged on general losses. The claim made is given, as I had supposed, in pounds sterling.

[2] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 140.

[3] 'It is not unknown,' the Scotch Commissioners had written on the 13th, 'what desperate desires and miserable hopes our adversaries have conceived of a breach upon this article.' *Adv. Libr. Edin.* 33, 4, 6.

though the amount of it and the mode in which it was to be raised were left to future discussion.[1]

If the English Commons were not likely to quarrel with the Scots, neither were the Dutch likely to serve Charles as he expected to be served. On the 19th he announced to their ambassadors that he was ready to accept their demand for the Princess Mary instead of the Princess Elizabeth. He hoped that the marriage treaty might be accompanied by a political alliance between the two States. It is true that he spoke of this alliance as one which was to be directed against Spain, but there can be little doubt that his thoughts were travelling in another direction. "Our eldest daughter," said the Queen, it may well be believed with her most winning smile, "deserves something more than her younger sister."

Jan. 19. The Princess Mary to marry Prince William of Orange.

The question was referred to commissioners appointed to draw up the marriage treaty. The Dutchmen expressed their readiness to treat of a political alliance as soon as the articles of marriage were agreed on. But they intimated that, in their opinion, such an alliance would be of little use unless the King came to a good understanding with his Parliament.

The marriage treaty negotiated.

The marriage treaty was quickly settled. The only question at issue related to the time at which the youthful bride was to be transmitted to Holland. Charles withdrew a demand, on which he had insisted the year before, that his daughter should be allowed the use of the ceremonies of the Church of England. "It may be," said one of the English Commissioners, "that in three months there will be no such ceremonies here."[2]

Whilst every hope which the King had formed of external assistance was thus failing him, the Commons were showing no signs of flinching. The Bill for Annual Parliaments, indeed, when it emerged from committee, had been subjected to considerable mo-

Transformation of the Annual Parliaments Bill to a Triennial Bill.

[1] *C. J.* ii. 71. D'Ewes's Diary, *Harl. MSS* clxii. fol. 158.

[2] The Dutch Ambassadors to the Prince of Orange, $\frac{\text{Jan. 22}}{\text{Feb. 1}}$, *Groen Van Prinsterer*, ser. 2, iii. 330.

difications, partly perhaps in consequence of the knowledge that it was threatened with some opposition in the Upper House.[1] It was now a Bill not for Annual but for Triennial Parliaments. The old statutes of the reign of Edward III., which enacted that Parliament should meet once a year, were indeed recited in the preamble. But the machinery by which elections were to be held without authority from the Crown was not to be called into existence until the sittings of the Houses had been intermitted for three years. On the 20th the Bill was sent up to the Lords. It was accompanied by a Bill granting four subsidies to be specially applied to the relief of the armies in the North.[2]

Jan. 20. It is sent up to the Lords together with a Subsidy Bill.

One concession at least Charles was ready to make, and it was one which at any other time would have been received with gratitude. On the 14th Finch was formerly impeached. On the 15th the King announced that from henceforth the judges should hold office on good behaviour, and no longer, as had been too often the case in his reign, at the good pleasure of the Crown. The place of Lord Keeper was now vacant, and if Charles had really been anxious to come to an understanding with Parliament he would have seized the opportunity of appointing some lawyer who shared the popular feeling. The man whom he selected was Lyttelton; and Lyttelton, amiable as he was, had pleaded vigorously against Hampden in the case of ship-money. To Charles he brought little advantage. He was personally brave, but politically timid. He fell ill shortly after his appointment; and if there had been any expectation that his great legal knowledge would be turned to good account when he was called on as Lord Keeper to preside on Strafford's trial, that expectation was doomed to disappointment.

Jan. 14. Finch impeached.

Jan. 15. The judges to hold office *quamdiu se bene gesserint.*

Jan. 20. Lyttelton Lord Keeper.

Bankes, who had taken part with Lyttelton in pleading against Hampden, succeeded him as Chief Justice of the Common

[1] Giustinian to the Doge, Jan. $\frac{1, 76}{11, 17}$, *Ven. Transcripts, R. O.*

[2] *C. J.* ii. 70. *L. J.* iv. 136.

Pleas. Heath received a puisne judgeship which happened to be vacant. Though, as one who had been driven from the Bench as not sufficiently pliant in the days of Charles's unquestioned power, he might have had some hold on the public sympathy, he was known to have been one of the staunchest upholders of the prerogative in its most exalted claims, and he had taken a leading part in those proceedings which sent Eliot to his glorious death in prison. The Attorney-Generalship was given to Sir Edward Herbert.

Jan. 29. Bankes Chief Justice of the Common Pleas.

Jan. 23. Heath becomes a judge again.

The strangest of all appointments was that of Oliver St. John as Solicitor-General.[1] If he had been placed in a position of real authority, his name would have served as a sign that Charles at least wished to appear desirous of approximating to the popular party. A Solicitor-General, as all men knew, had no real authority. He had a lucrative post, and Charles seems to have thought that he could win over many of his opponents by placing them in lucrative posts. On this occasion the attempt failed, as it deserved. St. John remained as staunch to his principles as he had been before.

Jan. 29. St. John Solicitor-General.

Before St. John assumed his new office, he had the satisfaction of seeing his contention in the ship-money case adopted by the House of Lords. On the 20th they passed a series of resolutions condemning the impost as illegal.

Jan. 20. The Lords' resolutions against ship-money.

The Lords and the Catholics.

If Lords and Commons were of one mind on the question of ship-money, they were also of one mind on another point in which modern feeling would be distinctly against them. It is sometimes said that the distrust of the Catholics was a weakness inherent in a Puritan House of Commons, and that even there it would not have been very active but for the machinations of Pym and his associates. Those who hold this view can have paid little attention to the journals of the House of Lords. On the 21st John Goodman, a priest, who was specially ob-

Jan. 21. Conviction of Goodman.

[1] Croke's *Reports*, Car. 600. Foss (*Lives of the Judges*, vi. 347) gives the date erroneously as the 18th.

noxious as a convert from Protestantism, and perhaps, too, as a brother of the obnoxious Bishop of Gloucester, was condemned to death under the bloody laws of Elizabeth's reign. Rossetti, as soon as he heard what had taken place, applied to the Queen, and the Queen told the sad story to her husband. "If he is only condemned for being a priest," said Charles, "I will assure you he shall not die." The next morning he sent him a reprieve.

Jan. 22. The King reprieves him.

To show mercy to a priest was unfortunately to rouse the indignation of all good Protestants. The Queen, too, had herself contributed something to the violence of the storm which followed on this act of mercy. It must have been known to many in both Houses that some, at least, of the Parliamentary leaders had recently been tempted with offers of promotion to support the continuance of the residence of a Papal Agent at the Queen's Court, which made it the centre of a permanent intrigue against the parliamentary constitution of England.

Angry feeling aroused.

The first outcry did not arise in either of the Houses. The City had been making preparations to lend a further sum of 60,000*l*. On the morning of the 23rd Pennington announced that, in consequence of Goodman's reprieve and of other suspicious circumstances, the City had decided to lend nothing. The Commons at once answered to the touch, and called on the Lords to join them in demanding the execution of the condemned priest.

Jan. 23. Excitement in the City.

The Commons demand Goodman's execution.

Charles determined, for the first time since the meeting of Parliament, to intervene in person. He sent for both Houses to appear before him at Whitehall in the afternoon. He had other matters besides this affair of Goodman on which he wished to address them. Since the London petition against the bishops had been presented, its principles had been acted on in the City. That petition asked that Episcopacy might be destroyed 'root and branch,' and the 'root and branch party,' as it was afterwards called, showed signs of increasing vigour

Charles sends for the Houses.

The Root and Branch party.

On the 13th a petition was presented to the Commons from Kent, praying that 'the hierarchial power might be totally abrogated.' Another followed from Essex in much the same strain. The clergy did not as yet go quite so far. Some Suffolk ministers asked merely for 'some relief from their present burdens,' and another more general petition presented by Sir Robert Harley, and signed by about a thousand ministers, asked for a complete reformation of the government of the bishops.[1]

Jan. 13. Petitions against Episcopacy.

Jan. 23.

The movement against the bishops was at the same time a movement against the worship enjoined in the Prayer Book. In some London churches, as soon as the minister began to read the service, the congregation struck up a psalm to drown his voice. In others the rails were pulled down and the communion-table carried off to the centre of the church. A congregation of Separatists, which had been in the habit of meeting in secret in Deadman's Place in Southwark ever since 1621, was interrupted at a devotional meeting. Some of its members were hurried to prison, and brought before the House of Lords. They refused to engage to attend their parish churches. They said that they were only bound to obey the King in civil matters. If an Act of Parliament ordered them to go to church, it was invalid, as having been made by the bishops. The Lords dismissed the men with a reprimand, but they issued an order which was intended to stop the disorders in public worship for the future. Divine service was to be performed everywhere in the churches according to law. No rites and ceremonies not so authorised, and in themselves likely to give offence, were to be introduced. The order was not free from ambiguity, but it was probably intended to place the ceremonies of the Church on the footing of Williams's decision in the case of the communion-table at Grantham.[2]

January. Disturbances in the churches.

Separatists taken.

Jan. 16. The Lords' order on public worship.

[1] D'Ewes's Diary, Jan. 13, *Harl. MSS.* clxii. fol. 142. *Rushworth*, iv. 135, 152. The Essex petition is printed in Rushworth with a wrong date.

[2] *L. J.* iv. 133. *Baillie*, i. 293.

On the following Sunday three or four of the peers, Saye and Brooke being probably two of them, appeared amongst the Separatists in Deadman's Place, seemed interested in all that they saw and heard, and contributed liberally to the collection made for the poor.[1]

Jan. 17.

Such was the state of affairs when the King received the Houses at Whitehall. He began by complaining of the slow pace at which business had been moving at a time when there were still two armies in the very bosom of the kingdom, and when the navy and the coast fortifications were falling into decay for want of money. Then he spoke of the distractions which had impeded the course of government. He knew that Parliament was not to blame, but there were some men who 'put no difference betwixt reformation and alteration of government.' Divine service had been 'irreverently interrupted, petitions tumultuously given,' and much of his 'revenue detained or disputed.'

Jan. 23. The King's speech.

He was ready, he said, to clear the way to a better state of things. He was prepared to concur in the reformation of 'all innovations in the Church and Commonwealth.' 'All courts of justice should be regulated according to law,' and 'all matters of religion and government' reduced to 'what they were in the purest times of Queen Elizabeth's days.' Any source of revenue which proved to be illegal or oppressive he was ready to abandon without hesitation.

Coming to particulars he announced that he would assent to a Bill to take from the bishops any temporal authority which was injurious to the State, but that he would never agree to deprive them of their votes in the House of Lords. Their right to this was so ancient that it might be held to be amongst the fundamental institutions of the realm.

On the Triennial Bill he was no less decided. He would not part with the prerogative of summoning Parliaments at such times as he saw fit, which indeed was inseparable from the Crown. He had, however, a plan to propose, which he hoped would give satisfaction, and which would show how desirous he

[1] Crosby, *History of the English Baptists*, i. 162.

was to meet his people frequently in Parliament. He ended by saying that they would soon receive a message from him on the subject of Goodman's reprieve.[1]

Charles to a great extent sincere.

To penetrate with absolute certitude to the motives of any man is beyond our power. Yet it is not impossible that for the moment, at least, Charles was not wholly insincere. He might dally with his wife's fantasies, but he had no real liking for them. He had no steady wish to see a Dutch army landed in England, or his throne supported by French threats uttered on the invitation of the Pope. He had far rather that Parliament should enter into a discussion of its grievances in detail, and allow him beneficently to lend an ear to their complaints, rectifying all that he saw to be amiss, and refusing to change anything that he conceived to be advantageous.

Yet it was natural that he should not be believed.

Parliament, and more especially the Commons, felt instinctively that if Charles wished for the redress of grievances he did not wish it with his whole heart. It was useless to tell them that he was ready to return to the Church system of Elizabeth. They knew that in the days of his unquestioned power, he had professed to be following in the steps of Elizabeth, and that there was nothing to show that he meant to interpret her system otherwise than he had interpreted it then.

Unfortunately for Charles, the power of carrying conviction was altogether wanting to him. Actions, not words, were needed for that. What a nation looks for in such days of trial is the firm hand of a leader who, sympathising with its desires and even with its prejudices, can guide it with the moderation of conscious strength. Charles could offer no such rallying point. His speech was composed partly of negations, partly of vague and uncertain invitations to others to act. If he were to rule the storm which he had evoked, he should have directed his ministers to introduce a Bill of Church Reform into the House of Commons, and have shown at the same time that he was ready to bow to any true expression of the national will. This

[1] *L. J.* iv. 142.

was what Elizabeth would have done, in whose steps he expressed his determination to walk. He did nothing of the kind. Like the unskilful boxer to whom the Athenian orator compared his countrymen in the days of their decline, he was ever attempting to parry the blows aimed at him, never venturing to plant a skilful blow in return.

It was inevitable that Charles's speech should be taken by advocates of a large Church Reform as containing a meaning more opposed to their wishes than its expressions would literally bear. Between him and them no understanding was possible. "This speech," wrote D'Ewes in that inestimable diary in which he has preserved so much of the words and acts of this famous Parliament, "filled most of us with sad apprehensions of future evils, in case his Majesty should be irremovably fixed to uphold the bishops in their wealth, pride, and tyranny."[1] The feeling found expression in a request for a conference with the Lords, and an order to Sir John Wintour, the Queen's secretary, Sir Kenelm Digby, Walter Montague, and two other Catholic gentlemen to give an account of their part in the collection of the contribution from the Catholics in support of the King's army in 1639.[2] The ill-feeling was not allayed by a message from the King justifying the reprieve of Goodman, and offering merely to banish him from England. In regarding the action of the Catholics with alarm both Houses were of one mind. The Lords concurred with the Commons in asking the King to put the recusancy laws in execution, and to begin by sending Goodman to the cruel death of a traitor.

Feeling aroused by this speech.

The Catholic contributions to the army to be investigated.

Jan. 25. The King offers to banish Goodman.

Jan. 29. Goodman's execution asked for.

Charles knew how much was at stake in the demand for Goodman's execution. If he did not stand firm here, how would he be able to stand firm when Strafford's head should be asked for? On the 28th the detailed charges against the Lord-Lieutenant were brought up by Pym from the committee which had been appointed to prepare

Jan. 28. The articles against Strafford.

[1] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 164. [2] *C. J.* ii. 74.

them. To Strafford the appearance of these lengthy articles conveyed a sense of relief. "I thank God, my lord," he wrote to Ormond, "I see nothing capital in their charge, nor any other thing which I am not able to answer as becomes an honest man."[1]

Charge relating to the Irish army.

Elaborate as the articles were, there was one thought which overtopped them all. The belief that Strafford had planned the introduction of an Irish army to overpower resistance in England was dragging him down to his destruction. Every piece of evidence which gave the slightest authority to this belief was eagerly caught at. The day after the articles were read in the House, a member stated that the Catholic Earl of Worcester and his son Lord Herbert had in the preceding year[2] received commissions authorising them to levy forces in those shires on either side of the Welsh border in which the influence of their house was predominant; and that Sir Percy Herbert, the Catholic son of Lord Powis, had been gathering corn, and had removed powder and munitions from the county magazine. It was easy to connect these levies with a supposed intention of landing Strafford's army in Wales.

Jan. 29. Preparations by the Earl of Worcester questioned.

On the following day the articles against Strafford were put to the vote in the House. As soon as the first was read Sir John Strangways asked by what witnesses it had been substantiated, and Sir Guy Palmes seconded his demand for a reply. They were told that the House must be content to leave such matters to the committee. When the question was put, more than a third of the members present remained silent. The Speaker told them that everyone was bound to say either Aye or No; 'after which,' writes D'Ewes, 'the Ayes were many and loud.' The remaining articles were then voted and transmitted to the Lords.[3]

Jan. 30. Articles against Strafford voted.

Slight as the indication of feeling was, it gave evidence

[1] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 176. Strafford to Ormond, Feb. 3, *Carte's Ormond*, v. 245.

[2] D'Ewes says it was in 1638, but this is plainly a mistake.

[3] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 182.

that the unanimity with which the Commons had hitherto proceeded, might not last for ever. Even if Charles had been capable of profiting by this position of affairs he would have been sadly hampered by the Catholic surroundings of the Queen. Henrietta Maria was violently annoyed by the late action of Parliament in demanding Goodman's execution and the expulsion of Rossetti, and by the summons issued to her secretary and her favourite companions to give an account of themselves before the House of Commons. She suddenly discovered that the English climate was injurious to her health, and that she was in danger of falling into a consumption. It would therefore be necessary for her to visit France in April. Preparations for her journey were ostentatiously made.

The Queen proposes to visit France.

Doubtless it was not mere vexation which brought the Queen to this resolve. Before April came she might expect an answer to her application to Rome, and she probably hoped that the result would be the direct intervention of the French Government on her behalf. She may very well have judged it more prudent to be absent from England when that intervention took shape. If such were her thoughts, she little knew Richelieu. The Cardinal, by whom France was ruled, cared nothing for the family relationships of his master, nothing even for the interests of his Church when they clashed with those of his country. Instead of despatching a new ambassador to threaten violence on behalf of the Catholics, he instructed Montreuil to enter into communications with the popular party, and to explain that it would be agreeable to France if Rossetti were allowed to remain. Holland, who was in opposition to the Court, simply because he had not latterly partaken sufficiently of its favours, answered that he would do all that lay in his power to forward the Cardinal's wishes. It was not to be expected that Richelieu would entangle himself for Rossetti's sake in English political strife.[1]

Her probable object.

[1] Montreuil's despatches, $\frac{\text{Jan. } 28}{\text{Feb. } 7}$, Feb. $\frac{4}{14}$, *Bibl. Nat.* Fr. 15,995, fol. 183, 187. Rossetti to Barberini, $\frac{\text{Jan. } 29}{\text{Feb. } 8}$, *R. O. Transcripts.* Giustinian to the Doge, $\frac{\text{Jan. } 29}{\text{Feb. } 8}$, *Ven. Transcripts, R. O.*

In the terror which was engendered by mutual distrust, Charles and the Commons were alike looking about them for support. The Commons had the advantage in their firmer grasp on the actual conditions under which the struggle was to be conducted. On February 3 they voted that 300,000*l.* should be given to the Scots under the name of a Brotherly Assistance. With this the Scottish Commissioners were completely satisfied, and all chance of breach between the two kingdoms came to an end.[1]

Feb. 3 Brotherly Assistance voted to the Scots.

Charles took the hint. As he had often done before, he threw over the Catholics. He announced that Goodman should be left to the judgment of the Houses, though he hoped that they would remember that severity towards Catholics in England would probably lead to severity towards Protestants in the Catholic States on the Continent. A proclamation should be issued ordering all priests to leave England within a month, on pain of being proceeded against according to law. As to Rossetti, he was in England to maintain the personal correspondence between the Queen and the Pope, which was warranted by her marriage treaty, as being necessary to the full liberty of her conscience. Nevertheless, she was prepared to dismiss him within a convenient time.[2]

Charles throws over the Catholics.

The Commons took no further interest in Goodman's fate. He was allowed to remain unmolested in prison. It was not merely the death of one particular priest that had been the object of so much clamour. The resentment of Parliament had been roused by the notorious connection of the Queen's Court with intrigues which were the more terrible to the imagination because they were shrouded in mystery. The day after the King's message had been delivered, the Queen sent a communication to the Commons. Her project of visiting France had not been received with favour even by her own counsellors. The Protestant Henry Jermyn and the Catholic Walter

Goodman left in prison.

Feb. 4. The Queen's message.

[1] The Scottish Commissioners in London to the Committee at Newcastle, Feb. 6, *Adv. Libr. Edin.* 33, 4, 6.

[2] *L. J.* iv. 151. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 112.

Montague agreed in preferring an easy life at Somerset House to the uncertainties of exile. Jermyn's father, Sir Thomas, was therefore commissioned to inform the House of the Queen's earnest desire to establish a good understanding between her husband and his subjects, and to plead her ignorance of the law in palliation of any illegality which she might inadvertently have committed.[1]

In making this overture, Henrietta Maria was probably actuated by hopes which she had recently begun to entertain. At the same time that she had been proposing to appeal to foreign powers, she had been holding secret interviews with Bedford and Pym, and had agreed to recommend the one as Lord Treasurer, the other as Chancellor of the Exchequer. She probably fancied that everything was to be gained if the Parliamentary leaders could be won, and her message was evidently intended to smooth away all remaining difficulties. The Commons, however, were not much inclined to consider this message as more serious than it really was. When Jermyn finished there was a long silence. Some members then urged that they should proceed to the business of the day without taking any notice of it. A proposal made by Lord Digby to ask Jermyn to return thanks to the Queen was coldly received, though, in order to save appearances, it was at last adopted. Another proposal that a committee should be appointed to draw up formal thanks to her received no support.[2] The possibility of an understanding between the King and the Commons seemed to be farther off than ever.[3] Nor could Charles find comfort in the action of the Lords. On the 5th the Triennial Bill was read a third time by the peers. Both Houses, of one mind in attacking the influence of the Catholics at Court, were also of one mind in their determination that from henceforth the King should carry on the government in compliance with the wishes of Parliament.

Answer of the Commons.

Feb. 5. The Triennial Bill in the Lords.

[1] Sir J. Coke the younger to Sir J. Coke, Feb. 2, *Melbourne MSS.* Compare *Mém. de Madame de Motteville*, ch. ix.

[2] *Rushworth*, iv. 129 D'Ewes's Diary, *Harl. MSS.* clxii. fol. 176.

[3] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 197.

If it had been possible for Charles to throw himself frankly upon his subjects, he would probably soon have found himself once more a force in England. The Church question was pressing for a solution, and the unanimity which had characterised the nation in its outburst of anger against the Laudian coercion was not likely to be maintained now that Laud's authority was at an end. The lawyers and the country gentlemen were indeed firmly resolved that if the bishops were to continue to exist, they must be brought under subjection to parliamentary law and their authority seriously curtailed. But when this was once settled, another question equally urgent was certain to arise. A large number of theorists, gaining strength from the hatred which the bishops had drawn upon themselves, argued that Episcopacy was anti-Christian. A smaller number of theorists argued that Episcopacy was of Divine institution. To the mass of men it was a mere matter of convenience. To the bulk of religious men, or of men who, without being supereminently religious, were under the influence of religion, it mattered much more how the worship of the Church was conducted than how the clergy were governed. Laud had roused all the old dislike of the forms of the Church into new life. There was eager and bitter criticism of the Prayer-book abroad, and there was a large portion of the population of the towns which would have cast out the Prayer-book altogether. Such could never have been the aim of the people as a whole. The new changes imposed by Laud, the removal of the communion-table to the east end, the enforcement of bowing when the name of Jesus was pronounced, the compulsory abstinence from work on Saints' days, must of necessity be abandoned. But the majority—in all probability the large majority—of Englishmen wanted no more than this. There were thousands to whom the old familiar words of the Prayer-book were very dear, and to whom its lofty piety and restrained emotion had long served as the sustenance of their spiritual lives. It was to this feeling that Bishop Hall now appealed. His *Humble Remonstrance for Liturgy and Episcopacy* appeared in the last week in January. Its very title was in itself significant. The question what was to be the Liturgy of the Church had taken a precedence

The Church question.

Hall's *Humble Remonstrance.*

over the question of Episcopacy which he had not conceded to it in the preceding year. No doubt he argued warmly now, as then, on behalf of the Divine authority of bishops. But his main contention was in favour of the excellence of the Book of Common Prayer, and of its adaptability to every mood of Christian devotion. He admitted that some things might call for a reformation; but, when existing grievances had been redressed, the ancient building might well be left with all its fair proportions unimpaired. No wonder Charles liked the book well. No wonder, too, that the few who were bent on establishing Presbyterianism in England held that all others pitied it 'as a most poor piece.'[1]

If Episcopacy in its actual form found few supporters in England, Presbyterianism was not without its enemies. Though many minds had received a strong Puritan impress from the ecclesiastical domination of the past years, there were others, scarcely less numerous, which were filled with a distrust of the government of ecclesiastics in any form whatever, and who thought that the yoke of a popular clergy was likely to be far harder than the yoke of an unpopular clergy had ever been. In the House of Commons this distrust of Presbyterianism was widely spread. It found expression especially in three men—in Hyde, in Falkland, and in Digby, the lawyer, the scholar, and the gentleman.

Feb. 8. Feeling against Presbyterianism.

Hyde was taking no mean part in the work of cutting away the extraordinary powers which had been acquired by the Crown since the accession of the House of Tudor. He was zealous with more than ordinary zeal to establish the supremacy of the law. But with him the supremacy of the law was almost equivalent to the supremacy of lawyers. He fully shared in the contempt which is always felt by the members of a learned profession for those who are outside its pale. He had no idea that sovereignty when once taken away from a king, must be transferred to a nation. He had no sympathy with Pym's trust in the supremacy of the House of Commons. Being himself without strong passions, he never took account of the existence of strong passion in

Hyde.

[1] *Baillie*, i. 293.

others. The Church of his ideal was one in which there would be no enthusiasm and no fanaticism, no zeal of any kind to break up the smooth ease of existence. He loved the services of the Church, but he loved them rather because they were decorous than because they were expressive of spiritual emotion.

Falkland.

Far nobler, if also far weaker, was the character of his friend Falkland. Falkland saw, before Milton saw it, that new presbyter would be but old priest writ large. He feared lest intellectual liberty would suffer from the new Church government as it had suffered from the old.

Digby.

Although in some respects Lord Digby, Bristol's son and heir, stood nearer to Falkland than to Hyde, his distrust of Presbyterianism was rather the feeling of the polished gentleman versed in the ways of society than that of the truth-seeking student. Possessed of every quality which lifts a man to success, except discretion, he looked down with the scorn of conscious power upon the sophisms which passed muster in a popular creed. His versatility and lack of principle made him easily the dupe of flattery, and the most brilliant of living Englishmen ended a long career without attaching his name to any single permanent result either for good or for evil. There can be little doubt that the Queen had already gained him over. At the opening of the Parliament he had cried out as loudly as anyone against the iniquities of the Government. In the late debate on the Queen's message it had been his voice which had asked that formal thanks might be returned to her for the friendly assurances which she had given.

The debates on the ecclesiastical petitions.

On February 8 the most momentous debate of these months was opened in the Commons. Formally the question at issue was whether the London petition, which asked for the abolition of Episcopacy, should be sent to a committee as well as the ministers' petition which asked only that the bishops might be restrained by certain defined rules.

Rudyerd's speech.

The debate was opened by Rudyerd. He argued in favour of a scheme of limited Episcopacy, according to which the bishop, being excluded from political

functions, would be bound in ecclesiastical matters of importance to take the advice of a certain number of the clergy of his diocese.[1] Then Digby followed. No one, he said, was more ready than he to join in clipping the prelates' wings, but he could not join in their extirpation. The secret of his displeasure was not long concealed. He poured out his contempt on the 15,000 citizens who had signed the London petition, as well as on the petition itself. He spoke of it as a comet with a terrible tail pointing towards the north. "Let me recall to your mind," he said, "the manner of its delivery, and I am confident there is no man of judgment that will think it fit for a Parliament under a monarchy to give countenance to irregular and tumultuous assemblies of people, be it for never so good an end." The petition itself, he declared, was filled with expressions of undeniable harshness, and its conclusion was altogether illogical. It argued that because Episcopacy had been abused, its use must be taken away. Parliament might make a law to regulate Church government, but it was mere presumption for those who were outside Parliament to petition against a law actually in force.

Digby's speech.

Having thus assailed the petitioners, Digby turned round upon the bishops. "Methinks," he said, "the vengeance of the prelates hath been so layed, as if it were meant no generation, no degree, no complexion of mankind could escape it. . . . Was there a man of nice and tender conscience? Him they afflicted with scandal, . . . imposing on him those things as necessary which they themselves knew to be but indifferent. Was there a man of a legal conscience that made the establishment by law the measure of his religion? Him they have nettled with innovations, with fresh introductions to Popery. . . . Was there a man that durst mutter against their insolencies? He may inquire for his 'lugs'; they have been within the bishops' visitation, as if they would not only derive their brandishment of the spiritual sword from St. Peter, but of the material one too, and the right to cut off ears. For my part I profess I am

[1] *Rushworth*, iv. 183. There are short notes of the debate in D'Ewes's Diary, *Harl. MSS.* clxii. 206. The speeches are given by Rushworth in a wrong order and assigned to a wrong date.

so inflamed with the sense of them, that I find myself ready to cry out with the loudest of the 15,000, 'Down with them! down with them!' even unto the ground."

Other considerations held him back. It was impossible that institutions which had existed since the time of the Apostles could have in them 'such a close devil' that no power could 'exorcise' it, or 'no law restrain' it. He was much deceived 'if triennial Parliaments would not be a circle able to keep many a worse devil in order.' He knew of no other government which might not prove subject to 'as great or greater inconveniences than a limited Episcopacy.' Then, pointing his meaning still more plainly, he expressed his firm belief that monarchy could not stand with the government of Presbyterian assemblies. Assemblies would be sure to claim the right of excommunicating kings; 'and if a king,' he ended by saying, 'chance to be delivered over to Satan, judge whether men are likely to care much what becomes of him next.'

Falkland followed in a higher strain. He dwelt more on the effect of Laud's exercise of power on thought than on its effect upon persons. He told how preaching had been discouraged; how the King's declaration, whilst ostensibly imposing silence on both parties, had been used to silence one; how the divine right of bishops, the sacredness of the clergy, and the sacrilege of impropriations had been 'the most frequent subjects even in the most sacred auditories.' Some of the bishops—Montague was doubtless in his thoughts—had so industriously laboured to deduce themselves from Rome, that they had 'given great suspicion that in gratitude they' desired 'to return thither, or at least to meet it half-way.' "Some," he then said, "have evidently laboured to bring in an English, though not a Roman, Popery; I mean not only the outside and dress of it, but equally absolute, a blind dependence of the people upon the clergy, and of the clergy upon themselves; and have opposed the Papacy beyond the seas, that they might settle one beyond the water." "Nay," he added, with bitter reference to Bishop Goodman, "common fame is more than ordinarily false if none of them have found a way to reconcile the opinions of Rome to the preferments of

Falkland's speech.

England; and to be so absolutely, directly, and cordially Papists, that it is all that 1,500*l.* a year can do to keep them from confessing it."

With all this, and with much more than this, Falkland could see no necessity for the abolition of Episcopacy. Let all laws be repealed which empowered the bishops to persecute, and let no ceremonies which any number counts unlawful, and no man counts necessary, be imposed against the rules of policy and St. Paul. "Since, therefore," he said, "we are to make new rules, and be infallibly certain of a triennial Parliament to see those rules observed as strictly as they are made, and to increase or change them upon all occasions, we shall have no reason to fear any innovation from their tyranny, or to doubt any defect in the discharge of their duty. I am as confident they will not dare either ordain, suspend, silence, excommunicate, or deprive, otherwise than we would have them."[1]

Fiennes replies not to Falkland but to Digby.

It was with the sure instinct of a true debater that Nathaniel Fiennes, Lord Saye's second son, replied to Digby and not to Falkland. That ecstatic vision of a Liberal Church, where no ceremonies were enforced which were unpalatable to any considerable number of the population, had no hold on the actual world around. In answer to Digby, Fiennes vindicated the right of petition, against the notion that the House of Commons was to stand apart from its constituents, and to legislate regardless of their wishes. Going over once more the long catalogue of the oppressions inflicted by the bishops, Fiennes traced the mischief, as Bacon had traced it before, to the fact that bishops had acted despotically and alone. Assemblies, he thought, were not so adverse to monarchy as they appeared to be. It did not, however, follow that the presbyterian system must be introduced because Episcopacy was abolished. It might be that the Church would be most fitly governed by commissioners appointed by the Crown.[2] Whatever might be the merit of this suggestion,

[1] *Rushworth*, iv. 184.

[2] It will be afterwards seen that the celebrated Root-and-Branch Bill, in its final shape, provided for the exercise of episcopal jurisdiction by lay commissioners.

there can be no doubt that Fiennes kept his eye more closely than Digby had done upon the stern fact that the bishops of that generation had not merely acted harshly to individual Englishmen, but had opposed themselves to the Parliamentary conception of government. "Until the ecclesiastical government," said Fiennes, "be framed something of another twist, and be more assimilated to that of the commonwealth, I fear the ecclesiastical government will be no good neighbour unto the civil, but will be still casting of its leaven into it, to reduce that also to a sole absolute and arbitrary way of proceeding." Nor was it the political constitution alone that was endangered. "A second and great evil," added Fiennes, "and of dangerous consequence in the sole and arbitrary power of bishops over their clergy is this, that they have by this means a power to place and displace the whole clergy of their dioceses at their pleasure; and this is such a power as, for my part, I had rather they had the like power over the estate and persons of all within their diocese; for if I hold the one but at the will and pleasure of one man—I mean the ministry under which I must live—I can have but little, or at least no certain, joy or comfort in the other. But this is not all; for if they have such a power to mould the clergy of their dioceses according to their pleasure, we know what an influence they may have by them upon the people, and that in a short time they may bring them to such blindness, and so mould them also to their own wills, as that they may bring in what religion they please; nay, having put out our eyes, as the Philistines did Samson's, they may afterwards make us grind, and reduce us unto what slavery they please, either unto themselves, as formerly they have done, or unto others, as some of them lately have been forward enough to do." Fiennes had yet more to say against the existing ecclesiastical system. He declared that excommunication had been degraded to a mere instrument for raising fees. In every respect the temporal part of the bishop's office had eaten away the spiritual. Bishoprics, deaneries, and chapters were like useless trees in a wood. They hindered the more profitable timber from growing. It would be much better to supply their places with preaching ministers. In con-

clusion, he refrained from asking the House to abolish Episcopacy. He would be content if the Londoners' petition were referred to the committee for its report.[1]

Continuance of the debate.

On this ground the debate proceeded. Almost every member of note in the House, and very many who were of no note at all, rose to express an opinion on one side or the other. Pym and Hampden, St. John and Holles, the future leaders of the Parliamentary party, were all for the committal of the petition; though Pym is reported to have said 'that he thought it was not the intention of the House to abolish either Episcopacy or the Book of Common Prayer, but to reform both wherein offence was given to the people.'[2] Hyde and Culpepper, Selden, Hopton, and Waller, the royalists of the days of the Grand Remonstrance, followed Digby and Falkland.

The beginning of Parliamentary parties.

Slight as the difference might be between those who took opposite sides on that day, their parting gave the colour to English political life which has distinguished it ever since, and which has distinguished every free government which has followed in the steps of our forefathers. It was the first day on which two parties stood opposed to one another in the House of Commons, not merely on some incidental question, but on a great principle of action which constituted a permanent bond between those who took one side or the other. How much was implied in this separation of Parliament into two bodies was little known then. For some little time it was only on one question that each group acted together at all, and even on that question the line which divided them was by no means sharply drawn. When that question rose into prominence it swallowed up all other questions, and those who had taken their sides on this February 8 were found agreeing or differing on all other points as they had agreed or differed then.

It is absurd to speak of the two parties which came into existence on that day as answering in any way to our present

[1] *Rushworth*, iv. 174.

[2] Bagshaw, *A Just Vindication*, 1660 (518, i. 2). Bagshaw, who was at this time member for Southwark, speaks of Pym as 'a gentleman with whom I had familiar acquaintance, and knew his mind in that point.'

political divisions. It might seem at first, indeed, that no great political question was at issue at all. Both sides professed, and honestly professed, that they were in favour of that limitation of monarchy which was implied in the passing of the Triennial Bill into law. Both sides honestly professed that they wished the Church to be under restrictions imposed by Parliament. Even in purely ecclesiastical matters there was a large amount of agreement. Digby wished, as little as Fiennes, to see the bishops again in possession of the powers which they had hitherto wielded, or dreamed for an instant of acknowledging any divine right in their order. The difference between the two parties lay in this. The one wished to leave the work of teaching and of conducting religious worship to the ministers themselves, whilst assigning to lay authorities all coercive jurisdiction. The other wished to retain the bishops as depositaries of coercive jurisdiction, whilst placing them strictly under the supervision of Parliament.

Question ostensibly at issue.

Such at least was the question ostensibly at issue. If there had been no more than this between the parties, that question would doubtless have been settled one way or another without much more heart-burning than attends the settling of any complicated political difficulty in our own times. Both parties felt instinctively that the question before them was more than one of the arrangement of the manner in which coercive jurisdiction was to be exercised. It was rather a question of influence. The possession of the pulpit brought with it the power of moulding the thoughts and habits of men, which can only be compared with the power of the press in modern times. That the clergy would be far more Puritan than they had been in the days of Laud was perfectly evident. Even if Fiennes succeeded in establishing a body of lay commissioners to impose fines and imprisonment upon ecclesiastical offenders, or to decide testamentary and matrimonial causes, they would have no power whatever to withstand the vast current of opinion which would be created by the Puritan clergy, and which would bear hardly upon those who by character, by position, or by intellect, were inclined to stand apart from the mass. To Pym

The real cause of disunion.

Objects of the defenders of Episcopacy.

and Fiennes the danger was an unreal one. Partly they were thinking too much of combating the immediate evil before them to think at all of providing against an evil in the future, and partly they sympathised too strongly with the Puritan teaching to be anxious to provide for the case of those who disapproved of it.

In some sort, therefore, the party which followed Digby and Falkland was groping about in search of a shelter against the oppressive monotony of a democratic Church. But they neither took a true measure of the proportion of the mischiefs to be counteracted, nor had they any clear conception of the fitting remedy to be applied. The immediate work of the day was to give to the ecclesiastical institutions of the nation, as Fiennes said, another twist, to bring them into some tolerable harmony with the religious feeling of the greater part of the nation. The next thing to be done was to provide space and room enough for the free play of religious and social life outside the organisation of the majority. What was really needed was the proclamation of religious liberty. It was precisely the thing of which no man in the House had any conception. Those who came nearest to it, Falkland and Selden, cried out for the maintenance of bishops. Undoubtedly there are conditions under which bishops are much safer guardians of religious liberty than Presbyterian Assemblies are likely to be. It was hardly the moment when this could be successfully alleged. The existing bishops, in all good conscience no doubt, had shown themselves strangely intolerant. Their warmest defenders asserted loudly that if they were to be retained at all they must be something very different from anything that they had been in past years. What Falkland and Digby offered to the world was, not a set of living men qualified to guide the Church, but a mere suggestion that a set of men, who had conspicuously failed in guiding it with reasonable prudence, might gradually be replaced by others who would understand their duty better, though no one knew on what principle the bishops of the future were likely to be selected. Pym's followers asked for inquiry with a definite object in view. Digby and

Their weakness.

Feb. 11.

Indefiniteness of their aim.

Falkland resisted inquiry, and had no definite plan of their own to offer.

No doubt the defenders of Episcopacy spoke of parliamentary and legal restrictions on the exercise of the office. But it needs little acquaintance with the world to know that no restrictions will make efficient leaders. It is better not to have a guide at all than to have one who is hampered at every turn, or who has no clear idea in what direction he wishes to go. The direction in which the new bishops were to go would depend very much upon the persons who had the selection of them. On this point, however, no new suggestion was made. There might be differences of opinion as to whether the bishops were the successors of the Apostles or not, as to whether they had been wise or foolish, self-seeking or self-denying. But it was impossible to deny that they had been the King's nominees, and, for all that was said in the debate, it would appear that the defenders of Episcopacy intended that they should remain the King's nominees still. By this consideration the question was carried at once into the region of general politics. The supporters of Episcopacy would gradually become supporters of the independent authority of the Crown. They would become apt to overlook Charles's faults, and to trust him more than he deserved to be trusted. Those, on the other hand, who wished to be quit of bishops, lest in retaining them in the Church they should be retaining influences bitterly hostile to the parliamentary system which they wished to found, would only be confirmed in their distrust of a king to whom the bishops looked for support, and did not look in vain.

The bishops the King's nominees.

It is not probable that any decided resolution had been taken by the leaders of the party which associated itself with Fiennes on this question, beyond that required by the exigencies of the moment. Pym does not appear to have spoken at any length. He sympathised to some extent with the root-and-branch policy, and he had made up his mind that the institutions of Church and State must both receive another twist. The exact way in which this was to be accomplished must depend upon the course of circumstances, and especially upon the conduct of the King.

Position of Pym.

When the debate was resumed the next day, Pennington stood up to vindicate the conduct of his constituents. Those who had signed the petition, he said, were men of worth and known integrity; and if there were any mean men's hands to it, yet, if they were honest men, there was no reason but their hands should be received. If pressure had been used, it would have been signed not by fifteen thousand but by fifteen times fifteen thousand.

Feb. 9. The adjourned debate.

Pennington defends the petitioners.

It was thus that the Root-and-Branch party took up the cause of the masses. It was not enough that the control over religion should be wrested from the King and the bishops, to be handed over to the educated classes which alone found a place in the House of Commons. No wonder the prospect thus opened was disagreeable to those who were determined not to be dictated to by Laud, but who could see no reason why they should not themselves dictate to the artisans and peasants whom they despised. "If we make a parity in the Church," said Sir John Strangways, "we must come to a parity in the Commonwealth. The bishops are one of the three estates of the kingdom, and have voice in Parliament." In these few words Strangways had given voice to the strength and the weakness of his party. Large numbers of the country gentlemen who had shown a firm front to the aggressions of the Crown, who had resisted the payment of ship-money, and who had risen up against Laud's ecclesiastical system, had no sympathy with Puritanism, especially when it took a popular form. From self-interest or principle, they held that government was for the few and not for the many, and that the mass of men, ignorant and immersed in the toils of life, were little capable of solving the intricate problems of politics and religion.[1] They thought with Shakspere—

Argument of Strangways.

[1] In the Cheshire petition against Presbytery, presented to the Lords on Feb. 27 (E. 163) various objections felt by laymen to the abolition of Episcopacy are well brought out. "We cannot but express our just fears that their desire is to introduce an absolute innovation of Presbyterial government, whereby we who are now governed by the Canon and civil laws dispensed by twenty-six ordinaries, easily responsible to Parliament for any deviation from the rule of law, conceive we should become exposed to

Take but degree away, untune that string,
And hark, what discord follows! each thing meets
In mere oppugnancy. The bounded waters
Should lift their bosoms higher than the shores,
And make a sop of all this solid globe:
Strength should be lord of imbecility,
And the rude son should strike his father dead.
Force should be right; or rather, right and wrong
(Between whose endless jar justice resides)
Should lose their names, and so should justice too.
Then everything includes itself in power,
Power into will, will into appetite;
And appetite, an universal wolf,
So doubly seconded with will and power,
Must make perforce an universal prey,
And, last, eat up himself.

Strangways' words about parity in the commonwealth were more than Cromwell could bear. 'He knew no reason,' he said, 'of those suppositions and inferences which the gentleman had made.' His look and tone were probably more irritating than his words. Cries of 'To the bar!' were heard from Strangways' friends. Pym and Holles intervened, and Cromwell was allowed to finish his speech. He repeated that he did not understand 'why the gentleman that last spake should make an inference of parity from the Church to the Commonwealth, nor that there was any necessity of the great revenues of the bishops. He was more convinced touching the irregularity of bishops than ever before, because, like the Roman hierarchy, they would not endure to have their condition come to a trial.'

Cromwell's reply.

The reply was characteristic of Cromwell. To the truth

the mere arbitrary government of a numerous Presbytery, who, together with their ruling elders, will arise to near forty thousand Church governors, and with their adherents must needs bear so great a sway in the Commonwealth, that if future inconvenience shall be found in that government, we humbly offer to consideration how these shall be reducible by Parliament, how consistent with a monarchy, and how dangerously conducible to an anarchy, which we have just cause to pray against, as fearing the consequences would prove the utter loss of learning and laws, which must necessarily produce an extermination of nobility, gentry, and order, if not of religion."

which lay behind the objections of his opponents he was wholly blind. For the practical work of the moment he was intensely keen-sighted. Bishops to him were not the ideal bishops who had their existence in Falkland's brain, but the actual Laud and Wren who were then existing in England in bodily shape. These men had stood in the way of that stern Protestantism which was all in all to him. They had imposed superstitious ceremonies. They had persecuted the saints. The work of the day was to break down their power. What was to be done next, or what would be the remote consequence of what he was doing, he did not care to inquire.

The temper which had been provoked may have warned the leaders on both sides, that no good object would be attained by prolonging the discussion. Falkland and Culpepper offered a compromise. They suggested that the greater part of the Londoners' petition should be referred, together with the petition of the ministers, to the proposed committee, but that the special question of Episcopacy should be reserved for future consideration by the House itself. Though many voices were raised against this suggestion, it was ultimately adopted without a division. A division, was, however, subsequently taken, on the addition of six names, three from each side, to those of the committee of twenty-four previously appointed for Church affairs. This proposal was resisted by the supporters of Episcopacy, possibly on the ground that they did not expect that the weight of Roe, Holborne, and Palmer, who were named from their own side, would be equal to that of Holles, Fiennes, and the younger Vane on the other. They were, however, defeated by a majority of thirty-five.[1]

A compromise accepted.

Falkland and Culpepper had gained for Charles that respite which was all that he could reasonably expect. If he had done now what he did eleven months later, and had summoned the leaders of the minority to his counsels, frankly placing in their hands full authority to deal with the Church question as they thought best, the minority would in all probability soon have become a majority. If not,

Charles gains a respite;

[1] *C. J.* ii. 81. *Rushworth*, iv. 187. D'Ewes's Diary, *Harl. MSS.* clxii. 209, clxiv. 115.

the power of dissolution was still in his hands, and it is quite possible that a fresh appeal to the country would have given him an unexpected strength, if it were once understood that he had broken honestly and for ever with the old system. The existing Parliament had been elected when the Court was at the height of its unpopularity, and it was consequently more Puritan in its composition than the country itself.

Feb 11.

That even under the most favourable circumstances, the leaders of the minority would have been able to offer a permanent solution of the Church problem, may well be doubted. That problem was too complicated in itself, and it cut too deeply into the ingrained habits of Englishmen, to make it likely that it would be settled so easily. Much, however, would have been gained if a temporary solution could have been found to ward off that entire breach between the constitutional powers which was the fruitful parent of so much material and moral evil to that generation and the next.

Unfortunately, Charles was not likely to employ well the respite which had been gained. He took up now, as he had taken up before, one project after another for the restoration of an authority which he had never known how to use, brooding over each in turn, without settled purpose of any sort. The day after the conclusion of the Church debate in the Commons, he announced that his daughter's marriage treaty had been brought to a conclusion, and that it only remained to consider the terms of a political alliance between England and the Dutch Republic.[1] Almost at the same time the Queen Mother declared to Rossetti, as a positive fact, that the young bridegroom was to land in England at the head of 20,000 men. Immediately on his arrival, the King would dissolve Parliament, and liberate Strafford, in order to entrust him with the reins of government. Other troops would be found to give support to the King, and in all probability France and Ireland would not be wanting in the emergency.[2]

which he does not know how to use.

Feb. 10. The marriage treaty.

The Queen Mother's expectations from it.

[1] *L. J.* iv. 157.

[2] Rossetti to Barberini, Feb. $\frac{12}{22}$, *R. O. Transcripts.*

It is not likely that Charles had definitely thought out all this plan, any more than it is likely that the Prince of Orange had definitely decided on sending an army to England with his son. It was enough that Charles lived in an atmosphere in which such plans were constantly discussed. He might, indeed, comfort himself with the thought that not a soul in the House of Commons knew anything of his hopes from Dutch or French intervention; but he could not expect anyone to be blind to the danger from Ireland. On the 11th Sir Walter Erle brought up a report from a committee appointed to inquire into the condition of the Irish army. The report was not likely to allay the fears which were generally entertained. The Irish troops, said Erle, were so quartered, that 'within two or three days three or four thousand of them might upon any design be drawn together.' They had arms and munitions, and Strafford was still their general. Evidence was then produced to show that the Catholic Earl of Worcester had been employed to levy troops in Wales in the preceding summer, and a statement was made, though no documentary evidence was produced in its support, that the Irish army was to have landed at Milford Haven in order to act in combination with Worcester's force.[1]

Feb. 11. Erle's report on the Irish army.

If Charles had desired to close the ranks of the House of Commons against him, he could not have hit on a better plan than on this menace of an Irish army suspended over their heads. Both parties in the late debate were unanimous in distrusting the Catholics. Both parties, too, were unanimous in denouncing that system of personal government to which Charles was so fondly attached. It was now on a report from Hyde, and by the lips of Culpepper, that Berkeley, whose language in the ship-money case had been more extravagant than that of any other judge on the Bench, was impeached of high treason. The Lords at once sent Maxwell to bring him to their bar. He was found sitting as a judge in the Court of King's Bench. Maxwell ordered him to descend, and he had nothing for it but to obey. He was at once committed to the

The Commons unanimous against the Catholics.

Feb. 12. Impeachment of Berkeley.

[1] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 215.

custody of one of the sheriffs. The scene produced an impression on the bystanders which was hardly equalled by that which had been produced by the arrest of Strafford himself.

Parliament could reach a judge at Westminster. It was more difficult to deal with nine thousand armed men beyond the Irish Channel. The Commons resolved to ask the Lords to join them in petitioning for the disbanding of the Irish army, the disarming of the English Catholics, and the dismissal from the Queen's Court of four obnoxious personages.

Feb. 13. Petition against the Irish army.

It would have been Charles's highest wisdom to have anticipated these demands. The one thing necessary to him was to awaken confidence, and the suspicion of danger from the Irish army would always be a source of weakness to him as long as that army remained on foot. Yet he had no thought of giving way. He preferred to retain a weapon which he could not use. He did not indeed feel himself able to offer at all points a stubborn resistance. On the 15th the Subsidy Bill and the Triennial Bill were ready for the Royal assent. A deputation from both Houses urged him to pass them both. He answered surlily that they should know his resolution on the following day. When the next day came he had made up his mind to give way. Members of Parliament had been heard to say that if the Triennial Bill were rejected, they would stop all business till the King had changed his mind.[1] As the subsidies could not be employed except by directions from Parliament, such a resolution would leave Charles with two unpaid armies in the North upon his hands.

Feb. 15. The Subsidy Bill and the Triennial Bill.

On February 16, therefore, Charles appeared in the House of Lords to give the required assent to both the Bills. He had come, he said, to fulfil his promise of placing himself in the hands of his Parliament by yielding up one of the fairest flowers

[1] Giustinian to the Doge, $\frac{\text{Feb. 19}}{\text{March 1}}$, *Ven. Transcripts*. Salvetti's *Newsletter*, $\frac{\text{Feb. 19}}{\text{March 1}}$. Giustinian speaks of the threats as having been used in Parliament. Most likely they were only used in private conversation between members, but the thing may have been said in open debate.

of his garland. He hoped that in return they would begin to think of him, instead of thinking only of their own grievances. He had already spoken of two rocks in the way. He had now removed one of them. If the other rock should be as happily passed over, they could ask nothing which he would be unwilling to yield. "Hitherto," he added, "to speak freely, I have had no great encouragement to do it. If I should look to the outward face of your actions or proceedings, and not look to the inward intentions of your hearts, I might make no question of doing it. . . . A skilful watchmaker, to make clean his watch, will take it asunder, and when it is put together it will go the better, so that he leave not out one pin of it." In the afternoon, when the Houses came to return thanks for his acceptance of the Triennial Bill, he was more gracious. He said that he had resolved to rule by Parliaments even if no such Bill had been offered to him. He hoped they would never have cause to complain of the infrequency of Parliaments. As he had satisfied their desires he hoped they would in due time think of providing for the kingdom and himself.[1] The words, doubtless, expressed at least a momentary phase of Charles's mind. If Parliament would content itself with keeping in working order the old machinery of government, and replacing every pin of it, Charles had no objection to frequent Parliaments. The postponement of the discussion on Episcopacy may perhaps have given him some hope that this would be the case.

Feb. 16. They receive the Royal assent.

Charles would soon learn how very different were the views of the House of Commons. The debate on Episcopacy might be postponed, because none of the leading members desired to thrust into the foreground a question on which there was such a wide difference of opinion. Strafford's trial could not be postponed much longer. Already many were growing impatient of the time which the Lords, in fairness to the prisoner, had allowed for the preparation of his defence to so complicated a charge. That impatience was by no means confined to the party which afterwards stood up

Delay of Strafford's trial objected to.

[1] *Rushworth*, iv. 188 b. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 119.

against the King. Capel, who was one day to shed his blood for the Royal cause, now urged with general assent that the Lords ought to compel Strafford to give in his answer. The Earl had had a fortnight for its preparation, and surely he could want no more.[1]

The next morning, as the House was in full debate, a strange interruption occurred. It was whispered that Strafford was in a barge on the Thames on his way to the House of Lords. A crowd of members rushed to the windows to see him pass. Another crowd plunged through the doorway to have a still nearer view of the fallen Minister. When order was restored it appeared that he had asked for further delay, and that the Lords had granted him another week.

Feb. 17. Strafford before the Lords. Excitement in the Commons. Further delay allowed.

The news that Strafford's request for time had been accorded roused considerable irritation in the Commons. A proposal was made that the House should adjourn for the week which had been allowed to Strafford for the preparation of his defence. Falkland rose to reprove this childish ebullition of feeling. "The Lords," he said, "have done no more than they conceived to be necessary in justice." It would be impossible to show Strafford a better courtesy than 'to jar with the Upper House, or to retard their own proceedings.'[2] The House followed Falkland's lead.

Feb. 18. Irritation of the Commons.

The next day strange news was circulated. Seven new Privy Councillors—Bristol, Bedford, Essex, Hertford, Saye, Mandeville, and Savile—had taken their places at the Board.[3] Yet these promotions do not appear to have struck contemporaries as being of any great importance. They knew that Bedford and Pym had not been appointed to official positions. They knew too, that a man might have a seat in the Privy Council without acquiring the slightest influence over the conduct of affairs. Business of weight was settled with a select number of favourites in the King's private apartments—the Cabinet Council, as it was be-

Feb. 19. The new Privy Councillors.

[1] D'Ewes's Diary, *Harl. MSS.* clxii. 229. [2] *Ibid.* clxii. 237.
[3] *Council Register*, Feb. 19.

ginning to be called.[1] It therefore did not follow that Charles's policy would in any way conform itself to the opinions of the new councillors. If it had been otherwise the change thus made would have been portentous. Every one of these men had been bitterly opposed to Charles's recent policy. The greater number of them continued to be opposed to his policy to the end of their lives.

What had been done had been done upon Hamilton's advice, and was of a piece with the advice which that intriguing nobleman had given at other times. There can be little doubt that the object of Charles was not to make it understood that he intended to conform to the wishes of Parliament, but to win votes in the House of Lords. "All this," wrote the Venetian ambassador, who had excellent opportunities of making himself acquainted with the truth, "has been done merely to gain them over in this matter." It could not escape notice that none of the offices vacant or ready to be vacated were allotted to any one of the seven noblemen, and it is therefore probable enough that Charles hoped to bind them to himself by an expectation of future favours. About the same time it became known that he intended to create new peers who would pay largely for the honour, and thus increase his following in the Upper House.

Charles's intention.

The attempt to win over the peers by personal favours was the first of the King's many ill-judged interferences with the course of justice which ultimately cost Strafford his life. Charles was unable to throw himself unreservedly on the peers' sense of justice, any more than

Folly of Charles's proceedings.

[1] The earliest certain use of anything approaching the phrase, as far as I know, is in Massinger's *Duke of Milan*, ii. 1, written before 1623 :—

> "No; these are cabinet counsels
> And not to be communicated, but
> To such as are his own and sure."

In the editions which I have seen the word is printed, in the old spelling, councils. I venture to correct it. On July 14, 1630 (*S. P. Dom.* clxx. 53), Roe speaks of Vane as said to be of the Cabinet. The Junto was a more official committee, like the Committee of Eight. See, however, an unpublished paper by Bacon, *Harl. Charters*, 111, D, 14, in which the phrase is used, probably not later than 1618.

he was able to throw himself unreservedly on the good sense of the Commons. Yet even at this time dispassionate observers who calculated the chances in Strafford's favour believed that the Lords were inclined, not indeed to acquit him altogether, but to declare him innocent of the crime of high treason.[1]

What Charles could have done to help Strafford.

In one way at least, the Lords, if they were to take the course which Charles fervently wished them to take, would need assistance which only he could give. The cry for justice against Strafford which was raised at this time did not so much proceed from a thirst of vengeance, as from the pitilessness of terror. By separating himself for ever from Strafford and his ways, and by showing that, even if the fallen minister were allowed to live, there would be no longer any danger that he would ever again be allowed to wield authority in England, Charles would have rendered to his devoted follower every service which it was in his power to render.

Feb. 20. Feeling about the Scots.

The day after the appointment of the new councillors there was a scene in the Commons which gave evidence of the rise of a feeling which might easily have been turned in Charles's favour. Englishmen could hardly bear with patience the indignity of the occupation of the northern counties by the Scots, and the details which reached London of the hardships endured by the men of Durham and Northumberland served to strengthen this feeling of impatience. Naturally this dislike of Scottish intervention in English affairs was felt most deeply by the party which in the recent discussions had upheld the cause of Episcopacy.

The City loan.

Three days before, Pennington had announced that the greater part of a City loan of 60,000*l.* had already been paid in, and would be handed over to Sir William Uvedale, the treasurer of the army. Shortly afterwards the House was informed by Uvedale that payment had been stopped after the first 21,000*l.* It was understood that the money was kept back in consequence of the ill-will felt in the City at the delay of Strafford's trial, and it was now proposed

[1] Salvetti's *News-Letter*, $\frac{\text{Feb. 24}}{\text{March 6}}$.

that two more subsidies should be granted to tempt the citizens to lend by increasing the security offered. The proposal had the support of those who had lately followed Falkland and Digby in the Church debates. What they wanted was to pay off the Scots, and to be rid of them for ever. "If we cannot provide for monies," said Kirton, a member who was in the habit of speaking strongly for the bishops, "we should provide for our safeties. I should be willing to give more if we knew the end of our charge." On the other hand, many of the stricter Puritans opposed the subsidy, perhaps wishing to bring on a confusion in which they would gain their ends. Pym broke away from his usual supporters. He knew that their course was dictated more by temper than by judgment. For once, however, that cool and skilful tactician appears to have lost his head. He proposed, 'that, in respect of the great necessity of the public, they might compel the Londoners to lend.' The formal and precise D'Ewes reminded the House that the arbitrary rule of a Parliament was very much the same as the arbitrary rule of a king. He was surprised, he said, to hear from 'that worthy member' a proposal 'which conduced to the violation of the liberties and properties of the subject.' He hoped that it would not be whispered abroad that such words had been heard within their walls. "For certainly," he said, "if the least fear of this should grow, that men should be compelled to lend, all men will conceal their ready money, and lend nothing to us voluntarily."

Two more subsidies proposed.

Pym's strange proposal.

Opposition of D'Ewes.

Pym found supporters and opponents as each man's temper led him. Holles and Culpepper declared against him. One young member moved that he should be called on to give satisfaction to the House. Capel, perhaps from his strong animosity to the Scots, gave his support to the proposal. If his own son, he said, refused to lend money on this occasion, he would be ready to put him to the torture. In the end the two subsidies were voted, and a check was thus given to the over-hasty zeal of those who were ready to welcome disorders in the North rather than to wait

The two subsidies voted.

for the slow progress of the great impeachment.[1] If the King had consented to the dissolution of the Irish army, the debate might have ended in a more decided demonstration against the Scots.

Feb. 24. Strafford's answer read.

On the 24th Strafford appeared at the bar of the Lords to present his answer to the articles against him. To the surprise of many, Charles took his seat on the throne to hear it read. This was generally believed to be a demonstration in favour of the prisoner. It was noticed that he gave signs of satisfaction whenever a point was made in the defence.[2] His conduct was not likely to affect the peers favourably. They did their best to preserve their character as judges. As soon as the King had left the House, they resolved that all that had been done in his presence was null and void, and ordered the articles of the Commons and the prisoner's reply to be read over again.[3]

Impeachment of Laud.

On the same day articles of impeachment were voted in the Commons against Laud. He, too, it was alleged, had been guilty of treason in attempting to alter religion and the fundamental laws of the realm. The vote was unanimous. Men who wished to support a reformed Episcopacy had no sympathy with Laud.

The Scottish Commissioners declare against Episcopacy in England.

The antagonism on ecclesiastical questions was as strong as ever. Just at this time an action of the Scottish Commissioners came to increase the general confusion. Voices had been raised amongst the Root-and-Branch party accusing them of being ready to desert their English friends, and to go home as soon as the money due to them was paid. As an answer to this attack, the Commissioners directed Henderson to draw up a declaration of their wish to see Episcopacy abolished in England as well

[1] Salvetti speaks of the vote as a check to the Puritans, and this seems to be borne out by the record of the debate in D'Ewes's Diary, *Harl. MSS.* clxii. fol. 243. The names of the tellers, too, point in the same direction.

[2] Giustinian to the Doge, $\frac{\text{Feb. } 26}{\text{March } 8}$, *Ven. Transcripts, R. O.*

[3] *L. J.* iv. 171.

as at home. The declaration was printed for circulation among the members of Parliament, and a copy was allowed to fall into the hands of a stationer, who at once printed further copies for sale.[1] Charles was indignant at this interference, and for once his indignation found an echo in the House of Commons. The Scots were assured by their friends that a majority would be against them. The bishops' party was so confident of success, that they demanded that Henderson's paper should be read with a view to its condemnation. The demand was, however, rejected, after having raised, as D'Ewes noted, 'one of the greatest distempers in the House' that he had ever seen.[2]

Feb. 26. Excitement in the Commons.

The Scottish Commissioners felt themselves to be treading on delicate ground. "The estate of business here," they wrote to Leslie, "is very uncertain. The paper which we gave in hath much offended many in the Parliament, even some that are not friends to Episcopacy; for though the paper be nothing so hard as the charge against Canterbury, yet the times are changed. Then they thought the progress and success of their affairs had some dependence upon our army, but now they have gotten their triennial Parliaments established, and some of them have fallen in to have hand with the King; and though they be enemies to Episcopacy and friends to reformation, yet they think it will be to their discredit that reformation should be wrought here, as it were, by our sword."[3]

March 3. Growing dissatisfaction with the Scots.

If Charles could count on some support on this question of Episcopacy, it was evident that he could not count on support on any other. The Lords had already joined the Commons in asking for the dispersion of the Irish army, for the disarmament of the English Catholics, and for the dismissal of the Queen's Catholic attendants. On March 1 Laud was committed to the Tower. As he passed through the streets the mob rushed at the carriage to drag

March 1. Laud sent to the Tower.

[1] *Baillie*, i. 305.

[2] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 271.

[3] The Scottish Commissioners in London to Leslie, March 13, *Adv. Libr. Edin.* 33, 4, 6.

him out, and it was with difficulty that he was saved from brutal outrage by the firmness of the guard.[1] On the following day the Commons voted that reparation should be made to Bastwick for the wrong done to him by the Star Chamber, and a similar resolution was subsequently adopted in the cases of the other victims.

March 2. Reparation to be made to Prynne, Burton, Bastwick, Leighton, and Lilburne.

On the day of Laud's committal to the Tower, a step was taken in the direction of an ecclesiastical settlement. Whatever else might be done, it was evident that Laud's action in the removal of the communion-tables to the east end of the churches could not possibly be sustained. The Lords now issued an order directing the bishops to see that the table should 'stand decently in the ancient place where it ought to do by the law, and as it hath done for the greater part of these three-score years last past.' The order was not free from ambiguity, but it was evidently intended to enforce the ideas of Bishop Williams. At Saye's motion a committee was named to take into consideration 'all innovations in the Church concerning religion,' and the temper of the new committee was shown by its selection of Williams as its chairman.[2]

March 1. The Lords' committee on ecclesiastical innovations.

The Lords had presented themselves as mediators in the great controversy of the time. Whether they would succeed or not depended on many things, and most of all upon the hearty co-operation of the King. It could not fail to be noticed that Charles gave neither word nor sign of approbation.

Their position as mediators.

[1] *L. J.* iv. 172. Salvetti's *News-Letter*, March $\frac{5}{15}$. One of the Scottish Commissioners to ——, Feb. 23, *Wodrow MSS.* xxv. No. 146.

[2] One of the Scottish Commissioners, writing on March 9 (*Wodrow MSS.* xxv. No. 149), speaks of a debate on Saturday, which ought most probably to be Monday, March 1. He says that in it Saye spoke 'very freely against Episcopacy and the Liturgy, constantly averring that he would never hear it. Bristol answered that there were some indifferent things pressed on men's consciences which must be taken away; but what was established by law no man might separate from it. Saye replied that they were now *in loco et tempore mutationis*, and therefore desired that a committee might be appointed for that effect.'

The Commons, too, were taking their own way. Whilst the Lords were turning their attention to ecclesiastical ceremonial, the Commons were attacking ecclesiastical institutions. On March 10, on the report of the committee to which the two petitions had been referred, they resolved that the legislative and judicial power of the bishops in the Upper House was a great hindrance to the discharge of their spiritual functions, and was also prejudicial to the commonwealth. The next day they resolved that no judicial functions of any kind should be exercised by the clergy.[1] Episcopacy itself was not challenged. The Root-and-Branch party knew well that they could not, for the present at least, count on a majority. Pym and his political associates would be no parties to raising a question on which they had not themselves made up their minds, and which would be certain to stir up unnecessary strife. Yet the Root-and-Branch party was in good heart. The House, they said, was now taking down the roof of ecclesiastical government, and would soon come to the walls.

March 10. The Commons resolve that bishops should not sit in Parliament,

March 11. or exercise temporal functions.

Outlook of the Root-and-Branch party.

At this time a new difficulty had arisen with the Scots. In order to stop the King from issuing a proclamation to call in their paper on Episcopacy, they had drawn up 'a mollifying explanation' of their meaning. The English Commissioners threatened to print this, in order to bring them into disrepute with their English friends; and Henderson was therefore set to work to draw up a longer memorial, setting forth the desire of the Scots for unity of religion between the kingdoms.[2] On March 10 this was presented to the English Commissioners with a request that it might be laid before Parliament. The Scots were told that if this was done so the King would give his reasons in reply. Essex added that by the course they were taking they might 'breed distractions among the two Houses.' In the face of these objections the Scots unwillingly

The Scots ask for unity of religion.

March 10.

March 16.

[1] *C. J.* ii. 101, 102. D'Ewes's Diary, *Harl. MSS.* clxii. 304, 307, clxiv. 134 b.

[2] *Argument Persuading Conformity of Church Government* (E. 157, 2).

gave way, and their explanations were suppressed, whilst the King on his part took no further steps in condemnation of their original offence.[1]

Relations with Scotland.

The relations between Scotland and England were bringing into prominence the unfitness of a large assembly without definite leadership to deal with complicated affairs. During the first three weeks of March the feeling of the Commons shifted from day to day. The Scots naturally demanded that their troops should be paid as long as the negotiation was still on foot. At one time the Commons seemed anxious to provide the money. At another time they had something else to think of. There was a sense of insecurity abroad which made it hard to find capitalists who were ready to lend. If the friends of Episcopacy were anxious to get money together that the Scots might be finally paid off and sent across the Tweed, the enemies of Episcopacy feared lest, if money were collected, they might lose the support of such good allies. The King had ceased to govern, and there was no one who had undertaken the work in his stead. There was no Chancellor of the Exchequer in the House to strike the balance of advantage or disadvantage in incurring any particular expenditure, and to press upon the House the absolute necessity of deciding once for all upon the mode in which its financial engagements were to be satisfied. To the Scots themselves the situation was becoming well-nigh intolerable. On the 20th the Commons had to listen to a sharp demand for payment from the Scottish Commissioners. By this time the House was in an increased state of irritation at the continued delays in the commencement of Strafford's trial. Henry Marten, a son of the Judge of the Court of Arches, who was morally separated from the Puritans by his gay and dissolute life, but who was at one with them in his trenchant opposition to the King, thought this a good opportunity to urge forward the Lords by the threat of bringing the Scottish army upon them by stopping supplies, in

March 20. The Scots demand money.

Henry Marten and Strode bring the debate to a close.

[1] *Baillie*, i. 307. Borough's Notes, March 10, 16, *Harl. MSS.* ccccl vii. 75, 78. The Scottish Commissioners to the Committee at Newcastle, Feb. 27, *Adv. Libr. Edin.* 33, 4, 6.

default of which it might be expected that the Scots would cross the Tweed and take with a strong hand that which they could not obtain in any other way. He moved in committee that the House 'could not make any advancement of monies to any purpose until justice were done upon the Earl of Strafford.' His motion was supported by Sir Walter Erle. On this Strode suddenly proposed that the Speaker should resume the chair. The proposal was adopted, and the debate came to an end without remonstrance from any side.[1] Nothing more was heard for some time about money for the Scots. This extraordinary resolution was an indication that a temper was rising in the House which regarded Strafford's punishment, not as a vindication of public justice, but as a necessary precaution against a public enemy.

[1] D'Ewes's Diary, *Harl. MSS.* fol. clxiv. 129 b; clxii. 282, 283, 290, 329, 338.

CHAPTER XCVII.

THE IMPEACHMENT OF THE EARL OF STRAFFORD.

THE Commons needed not to have been so impatient. No further delay was proposed by the peers. So great was the interest taken in the trial that it had been determined that the proceedings should take place in Westminster Hall, where alone room could be found for the crowds which were eager to listen to the great impeachment. For form's sake a throne had been erected with its back against the long west wall. In front of it was the seat of the Earl of Arundel, who had recently been appointed Lord Steward of the Household, and who, as Lord Keeper Lyttelton was disabled by sickness from attending, was now selected by the Lords as their Speaker.[1] In front of Arundel were seats, to be occupied by the judges if they were summoned to give advice on points of law. There was also a table for the clerks, on either side of which were the places of the peers. Then came the bar, behind which was a desk at which the prisoner might sit or stand, whilst four secretaries were to be ready to supply him with any papers which he might need. Farther back still were the lawyers whom he might employ to argue on his behalf if any legal question should be raised, though, according to the barbarous custom of those days, their mouths must be closed on all matters of fact. On one side of Strafford's desk were seats for the managers who appeared for the Commons, whilst a witness-box on the other side completed the arrangements of the court. On either side arose tiers of seats,

1641. March 22. Arrangements of the court.

[1] *L. J.* iv. 190.

of which the most eligible were reserved for members of the Lower House, though room was made for such other spectators as were able, by favour or payment, to obtain admission. To many of those who thrust themselves in, the most important prosecution in English history was no more than an exciting spectacle.

The throne remained unoccupied. Charles had now learnt that the peers would not consent to transact business whilst he was officially present. He, therefore, together with the Queen, occupied a seat which had been arranged like a box in a theatre, with a lattice in front. His first act was to tear down the lattice. He would certainly be able to see the better by its removal, but there were some who thought that he wished to impose restraint on the managers by being himself seen.[1]

Charles present.

The proceedings of the first day were merely formal. On the 23rd Pym opened the case on behalf of the Commons. If he believed it to be necessary to guard against danger from Strafford in the future, he also believed that he was but doing his duty in calling for punishment on Strafford's past offences. He elected to proceed first on the charges relating to Ireland. In Pym's eyes Strafford was little more than a vulgar criminal. To Strafford's allegation that he had been faithful in executing the duties of his office, he replied by comparing him to the adulteress in the Book of Proverbs, who wiped her mouth and said that she had done no evil. Strafford had set forth his services to religion, his devotion to the King's honour, his labours for the increase of the revenue and for the peace of the kingdom. Not one of these claims would Pym allow for an instant. Strafford boasted that he had summoned parliaments in Ireland, and had induced them to pass good laws. Pym asked what was the worth of parliaments without parliamentary liberties, and what was the worth of laws 'when will is set above law.' The picture of Strafford's Irish administration he traced in the blackest colours. He showed how the ordinary administration of justice had been superseded by the

March 23. Pym opens his case.

[1] *Baillie*, i. 314.

decrees of the Council Table, how juries had been fined, how noblemen had been imprisoned, and infringers upon monopolies flogged. Such, he said, were the deeds of the Earl. They had been done 'from a habit of cruelty in himself more perfect than any act of cruelty he had committed.' Nor was his cruelty greater than his avarice. He had embezzled public money entrusted to him for public ends, and had gorged himself with wealth, to the impoverishment of the King and the State.

Such was Pym's account of Strafford's Irish administration. It was not possible for Pym to judge it fairly. As he did not comprehend Strafford, neither did he comprehend that chaos of self-seeking and wrong against which Strafford had struck such vigorous blows in Ireland. To Pym Ireland was as England was—to be governed by the same methods and to be trusted with equal confidence. The English House of Commons had not yet arrived at the elementary knowledge that a land which contains within it two hostile races and two hostile creeds, and in which one of those races has within recent memory been violently dispossessed by the other of a large portion of the soil which had been its immemorial inheritance, needs other statesmanship to heal its woes than that which consists of a simple zeal for the maintenance of trial by jury and parliamentary privilege. But a few days before, the Lords had suggested that the King would be more likely to consent to the dismissal of the new Catholic army if he were authorised to reinforce the old Protestant army by 2,000 men. It was answered that Ireland was a free kingdom, and that if it were relieved from Strafford's oppressions it would stand in no need of soldiers.[1] Pym, in short, like other Englishmen, saw nothing in Ireland but the English colony. With the Celtic population he had no sympathy. The one point in Strafford's rule on which Irish memory is sorest, the threatened plantation of Connaught, the English House of Commons dropped out of sight as unworthy of notice when they came to plead their case before the Lords.

Pym's view of Ireland erroneous.

Pym had given Strafford an opportunity of which he was

[1] D'Ewes's Diary, *Harl. MSS.* clxii. fol. 320.

not slow to avail himself. Never had he seemed more truly great than when he appeared at the bar, like some fierce but noble animal at bay, to combat the united attacks of his accusers, in his own unaided strength. His crisp black hair was now streaked with grey, and his proud face was softened by the feeling of his calamities, and by the reverence which he felt for the great assembly of the peers, from which he firmly expected to receive that justice which was his due. With marvellous self-restraint he professed for the House of Commons a respect which it must have been difficult for him to feel. The most consummate actor could not have borne himself better. Strafford was no actor. He spoke out of the fulness of his heart, out of his consciousness of his own integrity, out of his incapacity to understand any serious view of the relations between a Government and a nation other than that upon which he had acted.

Strafford at the bar.

For several days the Court was almost entirely occupied with the charges relating to the affairs of Ireland. Undoubtedly Strafford did not succeed in showing that he had been a constitutional ruler. He had again and again acted with a high-handed disregard of the letter of the law, and had sometimes violated its spirit. He fell back on his good intentions, on his anxiety to secure practical justice, and on the fact that his predecessors had acted very much as he was accused of acting. Though the plea was undoubtedly insufficient, the view which Strafford took of Ireland was far truer than the view which had been taken by Pym. What was really needed, as far as Ireland was concerned, was not Strafford's punishment, but a serious and impartial investigation into the causes of Irish disorder with the view of coming to an agreement as to the conditions under which the government of that country could in the future be carried on. It is needless to say that not a single member of the English Parliament ever thought for an instant of anything of the kind. The only remedy which they imagined to be needed was to place Ireland in the hands of men like Lord Mountnorris or the Earl of Cork. Ignorance brings with it its inevitable penalty, and vengeance, this time not slow-footed, was already on the track.

His Irish government.

To Pym the argument that the laws of Ireland had been violated was mainly important as showing a readiness to violate the laws of England as well. Very early in his conduct of the case he had to face the question for which he must long ago have been prepared. If Strafford had done all that he was alleged to have done, if he had violated the law in innumerable instances for his own private ends, had he committed treason? The doctrine of treason as it had been elaborated in the Middle Ages, had fixed that name upon acts committed against the person or authority of the Sovereign. No one knew better than Strafford that in this sense he had not committed treason.

Had Strafford committed treason?

Pym, on the other hand, advanced a larger and nobler conception of the crime. It is possible that he was led to his argument by the extension of treason by the judges in the Tudor reigns from an attack on the King's personal authority to an attack such as Essex had contemplated in the last days of Elizabeth upon the system of government supported by the Sovereign.[1] He now argued that the worst traitor was not he who attacked the Sovereign's person or government, but he who attacked the Sovereign in his political capacity, and, by undermining the laws which constituted his greatness, exposed him to disaster and ruin.

Pym's conception of treason.

If the principle itself was politically grander than that which lay at the root of the old treason law, it had for judicial purposes the incurable defect, as it was thus presented, of a want of definiteness. The charge of treason might be reserved for offences of the blackest dye, such as a deliberate attack by force of arms upon Parliament. It might, on the other hand, be employed to cover any strong opposition to the popular sentiment. Already there had been signs that this danger was imminent. Finch and Berkeley, as well as Laud, had already been voted by the Commons to have been guilty of treason, and it required a very strong imagination to believe that the foundations of the State had really been endangered by either Finch or Berkeley. The time might soon

Difficulty of applying it.

[1] On this change, see the Introduction to Mr. Willis Bund's *Selections of Cases from the State Trials.*

arrive when treason would be as light a word in the mouth of a member of Parliament as damnation had been in the mouth of a mediæval ecclesiastic.

Yet, even if it had been conceded that Pym's view of treason was the true one, and if care had been taken to restrict it to a deliberate conspiracy to change the existing system of government, it was hard to call upon Strafford to pay the penalty. Not only had he himself had no such deliberate intention of changing the government, but he had never had fair warning that what he was doing would be regarded in the light in which it was now seen. It might be well that the law of treason should be altered so as to include some actions which had been done by Strafford; but it was hard upon him, and of the worst possible example to future times, to inflict the penalty of death under an interpretation of the law which was now heard of for the first time.

Strafford therefore had much to say on his own behalf. His vigorous defence told on his audience. Ladies who had obtained seats in Westminster Hall were loud in his praise. Amongst the peers the conviction was growing that, whatever else he might be, he was not a traitor. In the House of Commons, on the other hand, the cry for blood was waxing louder. There was an increasing disposition to resent all licence given to the necessities of the defence as a delay of justice. The frequent adjournments of the Lords for the consideration of points of procedure were regarded as mere procrastination, and one member asked that the peers might be requested to stop the prisoner's mouth whenever he spoke at undue length.[1]

March 25. Increasing feeling in favour of Strafford.

Dissatisfaction in the House of Commons.

Undoubtedly the Commons were thinking more of the future than of the past. That which irritated them was not so much the thought that Strafford had been cruel to Mountnorris, or that he had converted to his own use several thousand pounds of the King's money, as the thought that if he was left alive he would soon be found at the

Causes of their displeasure.

[1] D'Ewes's Diary, *Harl. MSS.* clxii. 359.

head of an army prepared to drive them out of Westminster, and ready to explain that, startling as the proceeding might seem, it was only a temporary and accidental interruption of the harmonious working of the constitution.

Charles, of all men, was most anxious to save Strafford, but neither he nor the Queen could understand that they could only save him by entirely renouncing all thought of appealing to force. Already an offer had been made to them which they were loth entirely to reject, and that offer, if it were once known, would be sufficient to seal Strafford's fate.

Wants of the English army.

For some time the dissatisfaction in the English army had been on the increase. "This I will say of you of the Parliament," wrote one of the officers in January to his brother, who was a member of the House of Commons; "you are the worst paymasters I know. Next Tuesday we have six weeks due to us, and unless there be some speedy course taken for the payment you may well expect to hear that all our soldiers are in a mutiny, to the ruin of the country, for they are notable sheep-stealers already."[1]

Effect of the Commons' vote in favour of the Scots.

On March 6, in the very height of the pressure for payment to the Scots,[2] the Commons had come to a vote, transferring to the troops of that nation 10,000*l.* which had been previously assigned to the English army. The news had naturally caused the gravest dissatisfaction amongst the troops in Yorkshire. Their talk ran on mutiny. Officers and soldiers were alike in distress. Henry Percy, brother of the Earl of Northumberland, Ashburnham, Wilmot, and Pollard, were members of the House of Commons as well as officers. "If such papers as that of the Scots," said Wilmot in the House, when the matter was under discussion, "will procure monies, I doubt not but the officers of the English army may easily do the like." When the vote had been passed these four officers consulted together. The resolution which they adopted was apparently a curious resultant from the double character which they bore. As officers of an army which had been stinted in its pay by the

Dissatisfaction of the English officers.

[1] E. Verney to R. Verney, Jan. 15, *Verney MSS.*

[2] Idem, March 8, *ibid.*

House of Commons, they were ready to offer their services to the King. As members of the House of Commons they were bound to keep within the limits of constitutional law, at least after their own interpretation. They proposed to induce the officers in the North to sign a declaration that they would stand by the King if Parliamentary pressure were put upon him to compel him to assent to the exclusion of the bishops from the House of Lords, or to force him to disband the Irish army before the Scots were disbanded, or if the full revenue which he had enjoyed for so many years were not placed in his hands.

An army petition proposed by Percy and others.

Such was the military version of the fundamental laws of the realm. Percy was commissioned to offer to the King the support of the army on these terms. There can be very little doubt that he knew pretty well that these three points were precisely those on which Charles was most anxious that a stand should be made. Yet when he spoke to the King on the subject he was surprised to find that a more violent proposal still had already been laid before him.[1]

The King to be informed.

He has already heard of another plan.

That proposal, like all other violent proposals to which Charles was called on to listen, was warmly supported by the Queen. Henrietta Maria had been ready in the beginning of March to clutch at any aid, however hopeless it might seem. She had been deeply disappointed in her expectation of foreign help. Richelieu had intimated to her, in his most polite phrases, that it would not be advisable, in her own interest, that she should visit France in this conjuncture of her affairs; and she reasonably conjectured that this advice concealed a preference for an alliance with a strong Parliament

The Queen disappointed in her hopes of foreign assistance.

Richelieu refuses to receive her in France.

[1] Percy to Northumberland, June 14 (*Rushworth*, iv. 255). It is impossible to trace out the dates of these early proceedings of Percy and his friends. The interview with the King must have taken place a few days before March 21, as from Chudleigh's evidence on Aug. 13 (*Harl. MSS.* clxiv. 28) it appears that Percy and his friends had drawn back (as Suckling expressed himself) about March 20; that is to say, probably on March 21, the date on which Chudleigh arrived from the North. The interview took place before this.

to one with a weak king. She was, however, obliged to announce that she was no longer in danger of falling into a consumption, and that she was therefore able to endure the English climate.[1] Annoying as this rebuff was, she was soon afterwards subjected to a still greater annoyance. Rossetti informed her that an answer to her application for money had been received from Rome, and that the Pope would no nothing for her unless her husband declared himself a Catholic. He need not avow his conversion openly at first. It would be enough if the Papal authorities were left in no doubt of the fact. The Queen knew that the Pope might as well have refused her request in distinct terms. She told Rossetti that she wished much that it might be with her husband as His Holiness desired, but that everything depended on God. Why should not the Pope content himself with that which was really practicable? If victory were gained with papal aid the Catholics should be permitted to keep open churches in England, and should be entirely freed from all impediments to the exercise of their religion.

The Pope will not help her unless the King changes his religion.

The Queen offers liberty of worship for the Catholics.

Father Philips adjured Rossetti to counsel the acceptance of this offer. He urged that the King was now in want only of money. He had men enough at his disposal. Irish Catholics were ready to serve him, and there were Protestants whose devotion could also be counted on. Whatever stipulations were made, the King's victory would turn to the advantage of the Catholics. Without their aid Charles would find it impossible to maintain his authority. The chief difficulty unfortunately lay with Charles himself. He was timid, and slow in coming to a resolution. Rossetti recommended that the Queen should be urged to employ herself on the good work of his conversion. She knew how the royal authority in France had been strengthened by her father's acknowledgment of the true faith.[2]

If no help was to be had from abroad, the eager, restless

[1] Richelieu's Memoir for Chavigny, *Avenel*, vi. 756. Montreuil's despatch, March $\frac{4}{14}$, *Bibl. Nat.* Fr. 15,995, fol. 203.

[2] Rossetti to Barberini, March $\frac{12}{22}$, *R. O. Transcripts.*

woman must turn elsewhere for relief from the intolerable disgrace and burden of her life. The quarter from which the suggestion of assistance now reached her was not one which would have commended itself to anyone versed in the realities of the world. Sir John Suckling was a gay courtier, much addicted to gambling, like many others who, by the side of the grave decorum of Charles's domestic life, anticipated the loose profligacies of the Whitehall of Charles II. As a writer of sparkling verses he secured the admiration of his contemporaries, and has retained the admiration of later generations. His conversation was as easy and brilliant as his verse, and he readily made himself acceptable to the ladies of the Court, who thought it no shame to listen to the airy doctrine that constancy in married life was a fit object of scorn, and that modesty was but an empty name. Amongst men he was not much respected. Once in his life he had thought of marrying a lady whose attractions were to be found in the weight of her purse. A rival, strong of arm, cudgelled him till he agreed to renounce all claims upon the golden prize. When Charles marched to the Border in 1639, Suckling raised, at his own expense, a hundred troopers decked in such gorgeous array as to expose him on his return to the laughter of rhymesters, who charged him with cowardice in the field, of which there is no reason to suppose that he had been specially guilty.[1]

She looks for other help.

Sir John Suckling.

Such was the man who had already taken upon himself to give advice which was to save the falling throne. The counsel which he offered showed that at least he had eyes to see something of the cause of the King's misfortunes. Charles, he said was being ruined because he remained merely passive. If he wished to recover the affections of his people he must show that he was capable of acting. He must make it clearly understood that he had cut

Suckling advises the King to act.

[1] The verses on Suckling and his troop are in *Musarum Deliciæ*, i. 81. Probably his horse was under Holland's command, and shared in the retreat from Kelso. We have such detailed information on that campaign that if Suckling had performed any special act of cowardice it would have been heard of.

adrift for ever those unpopular counsellors who had brought him nothing but odium. The Queen, too, must sacrifice her personal preferences for the sake of her husband. It was no hard matter for a king to be popular if he chose to give himself the trouble. The English people had no formed habit of reverence for the persons of the Parliamentary leaders, whilst loyalty to the King was a traditional feeling, which might easily be re-awakened. So far Suckling's advice was excellent. It was utterly disappointing at its close. The King was recommended to outbid the Parliamentary leaders by granting all, and more than all, that was desired. What concessions this indefinite recommendation covered, Suckling did not say. He had no knowledge of the real conditions of the political problem, or of any solution by which they could be satisfied. His advice to act ended in the vaguest suggestions as to the thing to be done. Political wisdom was not to be expected from a fribble.[1]

Henry Jermyn.

The letter in which Suckling gave the measure of his value as a politician was addressed to Henry Jermyn, and Jermyn was the trusted counsellor of the Queen, though even he had been kept completely in the dark on the negotiations with Rome.[2] So far as he had any religion at all, he was a Protestant, and his imperturbable self-reliance attracted the respect of the spirited and excitable lady whom he served. He was not too wise to think it possible to support the monarchy upon an armed soldiery, and did not trouble himself to develop a policy which might command respect. Somewhere about the middle of March, just at the time when Percy and his associates were preparing their scheme for a petition from the army, Jermyn and Suckling were consulting together as to the possibility of drawing the army to a more direct intervention in the strife between Charles and his Parliament. Suckling, like Percy, looked to the discontent caused by the vote which, on March 6, had transferred 10,000*l.* from the English to the Scottish army, as offering a basis for his operations.

[1] Suckling's *Works*, ed. Hazlitt, ii. 233.

[2] Rossetti to Barberini, Nov. $\frac{6}{16}$, *R. O. Transcripts.*

Percy and his friends had intended to clothe the action of the army in Parliamentary form. The sword was not to be drawn, but it was to be understood that it was ready to be drawn in case of necessity. Suckling and Jermyn knew that if the sword was to be appealed to it must strike sharply and without wavering. Their first object, therefore, was to secure the command of the army Northumberland, whose health was not completely re-established, and who was by nature unfitted to take a decided part in time of danger, was known to be anxious to surrender his authority as general. The Earl of Newcastle was selected as his successor. It was arranged that, if the King and the Parliament fell out, Newcastle should bring the army to the support of the King. As it was not to be expected that a splendid nobleman would give himself the trouble of attending to the details of military discipline, it was necessary to choose a new lieutenant-general to succeed Conyers, who was not likely to lend himself to the scheme. It would be the work of that successor to win over the officers and the men to the design. The choice of the conspirators fell upon George Goring, the eldest son of Lord Goring, and a colonel of one of the regiments in the Northern army.

The command of the army to be changed.

Newcastle to succeed Northumberland.

George Goring to be Lieutenant-General.

Goring was a man born to be the ruin of any cause which availed itself of his services. Dissolute and unprincipled, he had yet to show himself in his worst colours. Before long, men of all parties recognised in him a consummate hypocrite, who had the power of covering the most audacious falsehoods with a look of modest innocence. He had already been taken into Henrietta Maria's confidence. He had been appointed Governor of Portsmouth, and, though no direct evidence is at hand, there can be little doubt that he had given the Queen reason to believe that he was ready to hold Portsmouth at her disposal. In other words, he would offer her the use of its fortifications as a place of refuge, from which she could freely communicate with the Continent, and in which she might perhaps even receive from the Continent that military support on which she had, at

His understanding with the Queen.

one time, counted. That the Queen was now informed of the plan for gaining over the army is beyond all doubt, and either now or not long afterwards the knowledge was communicated to the King.[1]

The King is informed.

Even without instigation the army was disposed to resent the neglect of the House of Commons.[2] On March 20 the officers in Yorkshire despatched a letter to Northumberland detailing their grievances, and giving assurance of their readiness to fight the Scots, the favourites of the Commons. The letter was placed in the King's hands, who at once sent it to the peers.[3]

March 20. Letter from the officers.

The bearer of this letter was Captain Chudleigh. He remained in town for eight or nine days. During that time he was in constant communication with Jermyn and Suckling. He was informed by Suckling that the peers were much displeased at the conduct of the officers in writing the letter, and that Essex and Newport had expressed an opinion that they had risked their necks by what they had done. Suckling suggested that the best course for the officers to take was to accept Goring

March 22. It is laid before the peers.

Employment of Chudleigh.

[1] The evidence on which this narrative is founded is mostly in print, and will be referred to farther on. There are also examinations before Parliament scattered over D'Ewes's *Diary*. The Queen's statement in Madame de Motteville's *Memoirs*, ch. ix., is vague, and dwells far too exclusively on the personal dispute between Goring and Wilmot; but she, as well as Percy, is clear about the King's knowledge, at least at a subsequent time.

[2] "I believe you are busied in the Parliament, and yet neglect the main business of supplying the army, the effect of which, with the terrible threatening musters, may very well produce strange things, even not to be named. The horse have sent their peremptory answer that they will not muster till they are paid. If the foot do the like . . . . believe me, it can tend to no less than a general mutiny. A worm will turn again if it be trod on. Soldiers are now used as though it would be sure there should never be further use of them. . . . If we hold thus but a fortnight longer, I believe you will receive a letter in way of petition, either to redress our grievances or to cashier us, for now is the time when we might seek our fortunes elsewhere."—E. Verney to R. Verney, March 8, *Verney MSS.*

[3] The officers to Northumberland, March 20, *S. P. Dom.*

as their lieutenant-general. Otherwise they would be without a leader, and would suffer for their indiscretion in showing their teeth before they were able to bite.

The conferences between Jermyn and Suckling on the one hand, and Chudleigh on the other, took place during the first week of Strafford's trial. Though neither Suckling's scheme nor Percy's seemed at first to have had any special reference to that trial, it may well have been that the effect of the outcry for what the House of Commons called justice inclined Charles to look to the army as a weapon which he might lawfully wield in order to secure Strafford as well as himself from irregular violence. At all events in the course of Sunday, the 28th,[1] he listened to Percy's story, and was persuaded that Suckling's project was too wild to be feasible. In the end, however, he urged Percy to meet Suckling and his friends, in the hope that the two parties might be brought to act together. The project of bringing the army to support him by a

Effect of the first week of Strafford's trial upon Charles.

March 28. Percy's conversation with the King.

[1] Goring's story was that he was first informed of Suckling's project on a Sunday morning in the middle of Lent. As Lent began on March 10, this would be March 28 or, with less probability, April 4. Mr. Brodie supposes that the latter was meant. There is, however, evidence which seems to me conclusive in favour of the earlier date. Chudleigh arrived in London on March 21, and remained for eight or nine days, leaving, therefore, about the 29th or 30th. In his examination on May 10 he stated that he left Yorkshire to come back to London, on April 5, and that, as he then failed to find Goring, he followed him to Portsmouth on April 10. If, however, the Sunday in the middle of Lent had been April 4, Goring, who certainly remained in London during some days after his conversation with Suckling, would have been accessible to Chudleigh on the 5th. It does not follow that Goring really heard of the plot for the first time on March 28. It is not likely that his acceptance of the office designed for him should have been made a subject of conversation with Chudleigh during that officer's first visit, unless he had been previously spoken to on the matter; and he probably came nearer the truth when, on his examination of June 16, he said that Suckling had offered him the lieutenant-generalship about three months before, which would bring it to about March 16, four or five days before Chudleigh's arrival. If the date, however, of March 28 is unimportant in relation to Goring's own conduct, it enables us to fix the date of the interview of Jermyn and Goring with Percy which was held on the following day.

petition, whilst the question whether force was to be ultimately used or not was left undetermined, was certain to commend itself to a mind like that of Charles, ever anxious to cover acts of real violence with the cloak of legality.[1]

On the evening of the 29th, Jermyn, taking Goring with him, proceeded to Percy's lodgings at Whitehall, where he found the rest of the Parliamentary officers assembled. Having first taken an oath of secrecy, Jermyn and Goring pleaded hard to be allowed to bring Suckling to the conference. But Suckling was in bad odour with all military men, and the officers would not entrust him with their secrets. Jermyn spoke of the plan for bringing up the army. Goring then said that nothing could be accomplished unless the army were brought up and the Tower seized. He then asked how the chief commands were to be disposed of. "If he had not a condition worthy of him, he would have nothing to do with the matter." He and Jermyn insisted that Newcastle must command in chief. Percy suggested the name of Holland, whilst others put forward the claims of Essex. Evidently more than a mere personal question was at issue. The name of Newcastle was significant of a complete breach with Parliament as a whole. The names of Holland and Essex were significant of an intention to maintain a Parliamentary system, as it was understood in the Upper House. To the proposal for making Goring lieutenant-general, Percy and his friends would not listen for an instant. Nor would they hear of the plan for marching the army to London and attacking the Tower. Jermyn and Percy were therefore commissioned to call on the King to decide between their respective projects. There could be little doubt how his decision would be given.

March 29. The discussion in Percy's lodgings.

[1] In his examination on June 14 (D'Ewes's Diary, *Harl. MSS.* clxiii. 315 b) Pollard said that 'Mr. Percy disliked the proposition of bringing up the army, and that they had no such plot to bring the same to London, but, being asked how he then meant to make good his propositions ——.' The sentence is incomplete; but, whatever Pollard may have said, it is unlikely that Charles ever answered the question to himself. See Goring's examinations of June 16 in Moore's Diary, *Harl. MSS.* cccclxxviii. 81 b.

"All these ways," he said to Jermyn, when he had heard his account of Suckling's plan, "are vain and foolish, and I will think of them no more."[1]

Charles's decision.

Goring saw clearly enough that the appearance of moderation which recommended the alternative project to the King would ensure its failure, and he had now learnt that he was not to derive any personal advantage from its success. As he left the meeting he told Jermyn that 'he liked none of these consultations.' "You are ready enough," replied Jermyn, "to enter into any wild business, but you like not the company."[2] A day or two later there was a second meeting which led to no better understanding than the first. Goring made up his mind that, as he was not to be lieutenant-general of the King's army, he would gain the favour of the King's adversaries. He sought out Newport, who was now an active member of the Opposition in the House of Lords, and told him as much of the plot as it suited his purposes to tell. Newport carried him to Bedford and Mandeville. If he said to them what he afterwards said in the House of Commons, he asserted that he had recommended the march to London, not because he really thought of advising it, but in order to convince the others that a mere petition, unaccompanied by violence, would be altogether futile. He ended by asking that his own part in the discovery might be concealed.

Goring's dissatisfaction.

April 1. He betrays the plot.

Bedford and Mandeville at once communicated the secret to Pym and to some of the other leading members of the Commons. It was agreed that Goring should return to his post as Governor of Portsmouth, possibly with the object of placing him out of the reach of further temptation.[3] Nothing

Pym informed.

[1] Goring's examination, June 19. Percy to Northumberland, June 14, *An Exact Collection*, 215, 217; Ashburnham's examination, June 14, D'Ewes's Diary, *Harl. MSS.* clxiii. 316 b.

[2] Goring's examination, June 16, D'Ewes's Diary, *Harl. MSS.* clxiii. 328.

[3] Manchester in his Memoirs (*Nalson*, ii. 273) speaks as if Pym's revelation in the House had followed immediately; but the depositions are against him.

was openly done in consequence of his revelation. It must be remembered that Pym had not yet learned that there had ever been any serious project of bringing up the army at all. All that he knew was, that there was a plan for inducing the army to present a petition, and he may have thought it best to wait till the petition was presented before taking any active measures to avert further danger.

Effect of the revelation on Strafford's trial.

There was nothing upon the surface to connect the army petition with Strafford's trial. The King's right to pardon the Earl, after conviction, had not been mentioned amongst the points to be urged, yet it was inevitable that Goring's revelations should make Pym, if possible, more determined than before to exact the uttermost penalty from Strafford. His life or death was now more than ever a question of danger or safety to the State. A conjunction between an acquitted Strafford and an army of Royalist political tendencies was one which few in either House could contemplate with evenness of mind. It was probably not altogether by accident that the last charges relating to Strafford's Irish government were hurried over on April 3, and that some of them were entirely dropped.

April 5. Charge of bringing in the Irish army.

On the 5th the scene of the accusation was transferred to English ground. By the mouth of Bulstrode Whitelocke, a son of the judge, and himself a lawyer of some repute, the Commons alleged that not only had Strafford instigated the King to make war on the Scottish nation, but that at the time when the Short Parliament was summoned to vote supplies to support that war, he had offered 'to serve His Majesty in any other way in case the Parliament should not support him.' In pursuance of this plan he had raised an army of Irish Papists, and had conspired with Sir George Radcliffe 'for the ruin and destruction of the kingdom of England and of His Majesty's subjects, and altering and subverting the fundamental laws and established government of this kingdom.' With this object he had declared his opinion that if the Parliament failed to supply the King, he might use 'his prerogative as he pleased to levy what he needed, and that he should be acquitted of God and man, if he took

some courses to supply himself, though it were against the will of his subjects. Having subsequently procured by false representations the dissolution of that Parliament, he had wickedly given counsel to the King 'that, having tried the affections of his people, he was to do everything that power would admit; and that His Majesty had tried all ways and was refused, and should be acquitted towards God and man; and that he had an army in Ireland which he might employ to reduce this kingdom.'

Strafford's ideas about the use of force.

The managers had little difficulty in showing that Strafford had held that if Parliament refused the King's supply when he needed it for national objects, he was justified in taking it by force. It was the very central point of his political creed. As usually happens, his followers had exaggerated the thought of their patron. "His Majesty," Radcliffe had said, "had an army of 30,000 men, and he had 400,000*l.* in his purse and a sword by his side, and if he should want money who could pity him?" "The Commonwealth," said Strafford's brother, Sir George Wentworth, "is sick of peace, and will not be well till it is conquered again." He probably meant that unanimity would only be produced after an English army had been defeated by the Scots; but it was easy to understand his words as referring to a victorious army from Ireland.

The Irish army.

Undoubtedly that which called forth the greatest indignation against Strafford was the belief that he had threatened to employ his Irish army against Englishmen. As a matter of mere law it was absolutely indifferent whether he had proposed to bring it over or not. If it were not punishable to advise the King to 'do all that power would admit,' it would not become punishable to advise him to maintain his rights by means of an army composed not of his English but of his Irish subjects. As a matter of sentiment it made considerable difference.

Vane's evidence.

It was natural, therefore, that Pym and the other managers should leave no stone unturned to prove that Strafford had really given this particular advice. A copy of notes made by the elder Vane of the words used at the Committee of Eight after the dissolution of the Short Parliament

had long been in Pym's hands, and Vane himself was now put into the witness-box. Strafford, he said—and other witnesses bore him out—had advised an offensive war with Scotland. He asserted positively that Strafford had used the fatal words which were charged against him, 'or words to that effect.' 'Your Majesty, having tried all ways, and being refused, in this case of extreme necessity, and for the safety of your kingdom, you are loose and absolved from all rules of government. You are acquitted before God and man. You have an army in Ireland; you may employ it to reduce this kingdom.' All attempts made by Strafford's friends amongst the peers to induce Vane to say whether this kingdom meant England or Scotland proved fruitless. The Lord Steward reminded the questioners that the witness had come to testify to the words spoken, not to interpret them. Maynard, who was one of the managers, sarcastically remarked that Vane was now asked 'whether this kingdom be this kingdom.'

Strafford's reply.

To all this Strafford was called on to reply. He justified his advice for an offensive war against the Scots by falling back on the old position that subjects who 'could not be brought by fair means to do their allegiance and duty to the King' might be compelled to do so. He plainly thought that this doctrine was as applicable to England as to Scotland. But he explained that he had always had confidence in the King that he would never ask anything but that which was lawful and just, and that it was a great offence 'to think that the King would use his prerogative otherwise than as befits a Christian and pious king.' The argument implied was that the King, having been refused the means needed for the protection of his subjects, was justified in doing all that power would admit to make good the deficiency.

Denies that the Irish army was to have landed in England.

He utterly denied that there had been any scheme to bring the Irish army to England. He brought witnesses to prove that his intention had been to land it near Ayr. Of the six councillors who had been present besides himself and Vane when the alleged words were spoken, Laud and Windebank were incapable of giving evidence.[1] The

[1] For Windebank's own statement see p. 124. It must be remembered that the Privy Councillors failed to remember a good deal more than the statements about the Irish army.

other four—Hamilton, Northumberland, Juxon, and Cottington —with one voice declared that they could not remember that Strafford had ever proposed to bring the Irish army to England, or indeed had said much else which Vane attributed to him. It is impossible to speak with absolute certainty on the matter, but it is not necessary to suppose that either Vane or his fellow-councillors were guilty of perjury. If it be accepted as the most probable explanation that the words were indeed spoken, but only as a suggestion of the best means of meeting a hypothetical rebellion which never came into actual existence, and which passed out of the minds both of him who spoke and of those who listened almost as soon as the consultation was at an end, it becomes perfectly intelligible that those words may have had no abiding-place in the recollection of any except the secretary who had taken them down at the time, and whose memory was sharpened, not only by his personal rivalry with the speaker, but by his perusal of the notes a short time before the meeting of Parliament when he carried them to the King to be burnt.[1] On the other hand, the theory that Vane had spitefully invented the words appears to be negatived by the fact that the King had recently seen his paper of notes and had commanded them to be burnt. If those notes had not contained the incriminating words, Charles would surely have found some way of testifying his indignation at Vane's invention.

However this may have been, Strafford knew how to make good use of the advantage which he had gained. After pointing out that a single witness was insufficient to prove treason, he called evidence to show that he had always been desirous of a reconciliation between the King and his subjects in Parliament. "In case of absolute necessity," he then said, "and upon a foreign invasion of an enemy, when the enemy is either actually entered, or ready to enter, and when all other ordinary means fail, in this case there is a trust left by Almighty God in the King to employ the best and uttermost of his means for the preserving of himself and his people, which, under favour, he cannot take away from himself." At

Strafford's enunciation of principle.

[1] See p. 125, note.

all events, he said, his words had been spoken in his capacity of a Privy Councillor, and it was the duty of a councillor to speak his mind according to his conscience. By the blessing of God he had learnt not to stand in fear of them who could kill the body, but of Him who could cast body and soul into eternal pain. He had but done the duty of his place in delivering his opinion, and such an opinion as this would not have made a heretic, much less a traitor. Let his judges remember that they were born to great and weighty employments in the kingdom. If he were to be adjudged a traitor for honestly delivering an opinion under oath of secrecy, he did not think 'any wise and noble person of fortune' would hereafter, 'upon such perilous and unsafe terms, adventure to be a Councillor to the King.'

No wonder Strafford's speech told upon the peers. No wonder that it told upon others as well. If the design of bringing over the Irish army were disproved, as it seemed to have been, there remained a violent and ruinous advocacy of the Royal prerogative which it was imperatively necessary to make impossible in the future, but which drew its strength from at least one side of the practical working of the institutions of the country during more than a century. Not a few of those present felt that such an argument as Strafford's could not be lightly disregarded. Monstrous as his conception of the constitution was, it was hardly one to be treated as punishable by death. Even from the benches on which the Commons were sitting, a loud hum of admiration was heard as the prisoner resumed his seat.[1]

Impression produced.

The main burden of the reply fell on Whitelocke; and Whitelocke, diligent lawyer as he was, was hardly the man to cope with Strafford. He did his best to support Vane's evidence, and he argued that Strafford's counsel had been no mere utterance of opinion, but had proceeded from a settled design to subvert the laws and 'to set a difference between the King and his people.' Yet, when all had been said, it was evident that Strafford's chance of escape stood higher at the end of the day than it had done in the morning.

Whitelocke's answer.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. 9.

So at least, it can hardly be doubted, thought the peers. For nine whole hours the lion-hearted man had been standing at bay, unaided, against the best forensic talent of the time. Whitelocke had been followed by Maynard, and Maynard had been followed by Glyn. No wonder that Strafford felt exhausted at the close of that stupendous effort. It was impossible, he said, for him to endure such another day without a little time to repair his wasted energy. The Commons did not venture to oppose so reasonable a request, and one day's respite was allowed him.

Adjournment.

To the Lords the question of Strafford's guilt or innocence naturally presented itself as in the main a matter of judicial consideration. To the Commons the escape of Strafford would appear no mere miscarriage of justice. It would bring with it a pressing and overwhelming danger. Whether it were true or not that Strafford had planned to bring the Irish army into England the summer before, there could be no doubt that the same Irish army was still kept on foot, though there was no enemy against which it could be called on to contend. Both Houses had asked the King to disband it, but the joint petition had been left without a word of reply. In Strafford's interests Charles could not have committed a more grievous error. It is not likely that he had formed a deliberate intention of bringing the Irish army over to disperse the English Parliament. It was not in his character ever to form deliberate intentions except when they were to take shape in merely passive endurance. It was, however, unreasonable in him to expect that others should close their eyes to the plain tendency of his actions, simply because he foresaw nothing clearly himself. He wanted to make the most of every chance : of the constitutional authority of the Lords, of the threatening presence of his soldiers in Ulster, and of the sympathies of the unpaid English army in the North. The unconscious duplicity of his mind was dragging him to his ruin, and he dragged with him the servant, far nobler than himself, whom he most wished to save.

Divergence between the Houses.

The Irish army not disbanded.

Charles could not even rule his own household. The mild

disapprobation which he had expressed of Suckling's army plot went absolutely for nothing. The Queen, it would seem, had made up her mind to force the hand of her sluggish spouse. Chudleigh was sent back to the North with instructions from Jermyn and Endymion Porter to urge the officers to accept Goring as their lieutenant-general, and to be ready to march southwards in case of need. Newcastle would be in Nottinghamshire with a thousand horse ready to take the command, and it was even added that the Prince of Wales would be there as well. Every Frenchman in London —and the number of French settlers was not inconsiderable— would rise at a given signal.[1]

The army plot persisted in.

On April 3 Chudleigh convened a meeting of the officers at Boroughbridge. So strong was their feeling against Parliament, in consequence of its neglect of the army, that they were easily persuaded to write to Goring, expressing their readiness to obey him in the post to which they understood him to have been selected by the King himself. Chudleigh carried the letter to London on the 5th, and finding that Goring was no longer there, followed him to Portsmouth. Goring took him round the walls, and told him that 'if there should be any mutiny in London, the Queen meant to come down thither for her safety, and that she had sent him down money to fortify it.'

April 3. Meeting of the officers at Boroughbridge.

April 10. Goring at Portsmouth.

It was impossible that the Parliamentary leaders should long remain in ignorance of what was passing in the North. Conyers and Astley, the actual commanders of the army, had no wish to be superseded by Goring, and they had all the dislike of professional soldiers to seeing the military force of the country dragged in the wake of a political faction. Conyers wrote to Conway to complain of Chudleigh's proceedings, and it is not likely that Conway kept the secret to himself.[2] The first effect of the

[1] Chudleigh's examinations, May 10, 18. Pollard's examination, May 18, *An Exact Collection*, 220, 223. Chudleigh's examination, Aug. 13, D'Ewes's Diary, *Harl. MSS.* clxiv. 28.

[2] Conyers to Conway, April 2, 6, 9, *S. P. Dom.* ccccIxxix. 8, 13, 19. Chudleigh's Deposition, May 10, *An Exact Collection*, 220.

meeting of the officers is to be seen in a fresh effort of the Lords to remove the cause of the evil. On the one hand they renewed their urgency with the City to lend the money needed to pay off both the English and the Scottish armies, and on the other hand they once more pressed the King to give an answer to the petition of the Houses for the discharge of the Irish army and the disarmament of the English Catholics.[1] In the Commons the fear of immediate military intervention was predominant. Attention was called to the letter which had been written by the officers to Northumberland on March 20,[2] in which they expressed their readiness to fight the Scots. The House passed a resolution that any officer commanding an attack without orders from the King given upon the advice of Parliament, except in case of invasion, should be taken as an enemy to the King and State.[3]

Steps taken by the Lords.

April 6. Fear in the Commons of military intervention.

The wording of the resolution passed unheeded by. It was but the expression of that which all men there felt to be a necessity. Yet to say that the King's orders were only to be obeyed if they were given upon the advice of Parliament was a strange innovation on established usage. The presumption of the law had been hitherto, as the judges and Strafford had never been weary of saying, that the King would act for the general good of the community, even if at some particular moment he set the general feeling at naught. The resolution of the Commons was the first crude attempt to find a remedy for the evils produced by the King's effort to free himself entirely from every obligation to consult the wishes of the nation.

The King to act by advice of Parliament.

Before this fear of military violence Strafford's offences assumed a deeper dye. On the 7th the story of his threats to the aldermen and his violent enforcement of ship-money was duly told. On the next day Erle returned to the charge of bringing over the Irish army.[4] He showed that in the commission granted to Strafford

April 7. Further charges against Strafford.

April 8.

[1] *L. J.* iv. 207, 209.
[2] Page 314.
[3] D'Ewes's Diary, *Harl. MSS.* clxiii. 9. *L. J.* ii. 116.
[4] See p. 318. For once Mr. Sanford makes a mistake; he argues (304)

in August he was empowered to repress revolts in England, and argued that it must have been evidently intended that his army should land in England. Strafford replied that his commission was a mere copy of Northumberland's, and that it was so drawn by the King's directions.[1] On other points which were raised Strafford was no less successful.

April 8. Vane's notes to be produced.

It was impossible that the managers should leave their case thus. Hitherto they had been unwilling to compromise the younger Vane. They now resolved that the copy which had been taken of the notes which he had surreptitiously obtained from his father must be produced on the following morning.[2]

April 9. Strafford's illness.

When the morning came Strafford did not appear. He sent a message announcing that he was too ill to leave the Tower. Pym and his associates seem to have fancied there was a plot intended to create delay. They felt that the Lords were slipping away from them. They were not even sure of their hold over the Commons. That unhappy religious question stood in the way of all harmonious action, and it had only been by a majority of 39 that the truce with the Scots had been prolonged for another fortnight. There were many who wished, in the interest of the bishops, that another war might break out, in which the Scots might be less successful than they had been before.[3]

that Whitelocke's account of this day's proceedings is untrustworthy, because he cannot find anything like it in *Rushworth*. Rushworth, however, breaks off at the end of the proceedings of the 7th, and only gives separate speeches afterwards. The story is to be found substantially as Whitelocke gives it in the *Brief and Perfect Relation*, which is, as Mr. Palgrave has pointed out, a most valuable contemporary account of the trial.

[1] Bankes gave evidence that it was so. Gawdy's Notes, *Add. MSS.* 14,828, fol. 31 b.

[2] The elder Vane stated on the 10th that he first heard that his son had taken the papers 'on Thursday last;' and this, together with the probability that such a step would be taken after Erle's failure, seems to fix the resolution of the leaders for that afternoon.

[3] The party meaning of this division is shown by the names of the tellers. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 161. See, too, Tomkins to Lambe, April 12, *S. P. Dom.* ccccl xxix. 27.

On the 10th Strafford was once more at the bar. As he was about to speak, Glyn interrupted him, offering fresh evidence on the Irish army, as well as on another matter of less importance. Strafford asked to be allowed also to produce fresh evidence. After two long adjournments, the Lords decided as fairly as it was possible for them to do. Both sides were to name the articles to which they wished to recur.[1]

April 10. Fresh evidence offered.

The peers had dealt with the emergency as became judges. In the Lower House there were some to whom their impartiality was of evil omen. In that House there was 'a rigid, strong, and inflexible party,' which held that if Strafford were 'not found a traitor, the Parliament must make him so for the interest of the public.'[2] Though the managers were ready to go on with their case, they were stopped by shouts of "Withdraw! withdraw!" from the benches on which the Commons were sitting. The shouts were answered by indignant cries of "Adjourn! adjourn!" from the Lords. Both Houses left the Hall in confusion. "The King laughed, and the Earl of Strafford was so well pleased therewith that he would not hide his joy!"[3] Well might Charles and Strafford make merry. That which had been long looked forward to as possible had come to pass. The two Houses were at issue with one another. The sitting had been broken up without even the appointment of a day for the resumption of the trial.

The inflexible party.

[1] *L. J.* iv. 212. There is a slightly different account in the *Brief and Perfect Relation.*

[2] The Earl of Strafford Characterised, *Somers Tracts*, iv. 231.

[3] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 27. Tomkins to Lambe, April 12, *S. P. Dom.* ccccl xxix. 27. *Brief and Perfect Relation*, 57.

CHAPTER XCVIII.

THE BILL OF ATTAINDER.

THE Commons returned to their own House in an angry mood. Glyn at once called on Pym and the younger Vane to tell what they knew of evidence not yet disclosed. Vane told the House how he had found a paper of notes in his father's study, how he had taken a copy of them, and how Pym had copied that copy. Pym confirmed the latter part of the statement. The elder Vane rose to say that the original notes had been burnt by the King's command. He appeared to be much agitated. "An unhappy son of his," he said, "had brought all this trouble upon him." So much of the notes was then read as bore upon the matter in hand;[1] and the Secretary was asked whether the paper which had been produced corresponded with the original. He replied that it did, and that he had himself taken notes of it before he destroyed it.[2]

1641. April 10. Vane's notes disclosed.

The effect of this statement was strongly corroborative of the evidence which had been given by the Secretary before the Lords. No doubt the charge that Strafford had used the words about the Irish army of which he had professed to have no recollection, rested now, as it had rested before, on the single

[1] It is unnecessary to go into the question whether the younger Vane was justified in betraying the secret. It was a case of a conflict of duties. If he had found evidence that a murder was about to be committed, he ought to have used the knowledge, acquired in any way, to save the person threatened. When he showed the notes to Pym, the danger of an actual attack from Ireland was still impending.

[2] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 162

evidence of Vane. It was, however, one thing to say that Vane had allowed a misrepresentation to grow up in a treacherous and hostile memory: it was another thing to say that he had been guilty of forgery. Even if it were thought possible that he might have descended so low, the fact that Charles had sent for the notes and had ordered them to be burnt—a fact which is established not merely by Vane's assertion, but by Charles's silence—seems to show conclusively that they were notes officially taken with the cognisance of the King, and therefore liable to be called for by him at any moment. It is perfectly incredible that Vane should have knowingly inserted a falsehood in a paper which was so likely to come under the eye of the incriminated person.[1]

What are the Commons to do?

With this additional evidence before them the Commons had to reconsider their position. Evidently the proper course was that which the managers had intended to pursue—to lay the notes before the Lords, and to allow Strafford to occupy two or three days with the additional evidence which he wished to bring forward. The 'inflexible party,' which was not the party of Pym and Hampden, was weary of the long delay. They regarded the judicial impartiality of the Lords as open treason to the commonwealth. They showed themselves apt pupils of Strafford; or rather they shared in his belief that, as the safety of the people was the supreme law, so it was to be made, in moments of emergency, to override all positive legality. If Strafford had wielded the ancient weapon of the prerogative to render the monarchy absolute, why should not they have recourse to another ancient weapon, the Bill of Attainder, to strike down absolute monarchy impersonated in its strongest champion? No doubt this method of procedure had some advantages. It was more honest and outspoken. It professed to punish Strafford because he had broken a law which ought to have been in existence, instead of twisting an existing law to make it mean something which all impartial persons—if any there then were—knew perfectly well that it did not mean.[2] It also commended itself

[1] See page 125, note.

[2] "Now the secret of their taking this particular way is conceived to

to the feeling against the Lords, which was at this moment strong in the Lower House. The Commons would no longer be mere accusers. They, too, would be Strafford's judges, and would ask the Peers to join in a sentence which they had first pronounced.

A Bill of Attainder was accordingly brought in. Of the debate which ensued no record has reached us. The name of Sir Arthur Hazlerigg is, however, prominently connected with the proposal, and Hazlerigg's name at once suggests a connection between downright honesty of purpose and blundering impatience of restraint. Before the day was over the Bill had been read a first time. With that Saturday's work the third week of the great trial was brought to a close.[1]

First reading of the Bill of Attainder.

A first reading settled nothing. On Monday morning, when evidence in corroboration of Vane's story was being heard, Henry Marten impatiently asked that, instead of troubling themselves with further inquiry, they should read the Attainder Bill a second time. The House would not hear of it. It had been dissatisfied with the slow progress of the impeachment; but, after all, it preferred to be led by Pym rather than by Hazlerigg and Marten, and Pym's advice was to carry the impeachment to its close. The Lords were therefore informed that, in order to hasten the proceedings, the Commons had consented to waive their right of producing further evidence, on the understanding that no more would be produced for the defence. They intimated at the same time that they had discovered a paper which implicated Laud and Cottington in illegal designs,[2] and that they had therefore thought it right to send the peers a copy of it for

April 12. Pym regains the leadership.

be to prevent the hearing of the Earl's lawyers, who give out that there is no law yet in force whereby he can be condemned to die for aught that hath been yet objected against him, and therefore their intent is by this Bill to supply the defect of the laws therein."—Tomkins to Lambe, April 12, *S. P. Dom.* cccclxxix. 27.

[1] Tomkins to Lambe, April 12, *S. P. Dom.* cccclxxix. 27. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 163 b.

[2] Their speeches, as well as Strafford's, were given in Vane's notes.

their consideration. This clever contrivance—it was almost too clever to succeed—was adopted without much difficulty. D'Ewes reminded the House that the bishops, who had no votes as judges, would have votes on the passing of a Bill; and the Bill of Attainder was set aside, at least for the present.[1]

Ill-feeling in the Upper House.

The expectation which Pym probably entertained, that the Lords would be thrown off their balance by the sight of that portion of Vane's notes which bore upon Strafford's case, was soon realised. They were irritated by the conduct of the other House in interrupting the trial, and still more irritated at the mere mention of a Bill of Attainder. "It is an unnatural motion," said one angry peer, "for the head to be governed by the tail. We hate rebellion as much as treason. We will never suffer ourselves to be suppressed by a popular faction."[2]

April 13. Strafford's defence.

On the following day, therefore, Strafford was called on for his defence, as if nothing extraordinary had intervened. He knew well how to catch the ear of the peers. "None but you," he said, "can be my judges." Not the Commons, not even the King himself, could take that function from them. After running over the articles one by one, he asked how that could be treason as a whole which was not treason in any separate part. It was hard to be punished for a crime against which no law could be quoted. "If I pass down the Thames in a boat," he said, "and run and split myself upon an anchor, if there be not a buoy to give me warning, the party shall give me damages; but if it be marked out, then it is at my own peril. It is now full 240 years since any man was touched to that height, upon this crime, before myself.[3] . . . Do not, my lords, put greater difficulty upon the Ministers of State than that with cheerfulness they may

[1] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 165. The debate is printed in *Sanford*, 329, but with many omissions of which no warning is given.

[2] *Brief and Perfect Relation*, 58.

[3] Strafford, no doubt, referred to the case of Tresilian, who was executed by the Merciless Parliament in 1388—not 240, but 252 years before. Tresilian, like Strafford, was charged with misleading the King and alienating his subjects from him.

serve the King and the State ; for if you will examine them by every grain or every little weight, it will be so heavy that the public affairs of the kingdom will be laid waste, and no man will meddle with them that hath wisdom, and honour, and fortune to lose.

"Were it not for the interest of those pledges that a saint in heaven left me, I would be loth, my lords ;"—for the moment he could say no more.[1] The strong, iron-hearted man burst into tears. After a little while he recovered himself. "Now, my lords," he ended by saying, "I thank God I have been, by His good blessing towards me, taught that the afflictions of this present life are not to be compared with that eternal weight of glory that shall be revealed for us hereafter ; and so, my lords, even so, with all humility, and with all tranquillity of mind, I do submit myself clearly and freely to your judgments, and whether that righteous judgment shall be life or death,

Te Deum laudamus, te Dominum confitemur."[2]

Glyn's reply.

After a short interval Glyn rose to reply. The prisoner, he urged, was not charged with a number of separate acts, but with one settled purpose to overthrow the law. The separate acts were but cited in order that the purpose might be revealed. Glyn's strongest point was his refutation of Strafford's plea that he had counselled the assumption of special powers in the face of special necessity. He showed that for years the government had been conducted on the plea of special necessity. "My lords," he said, "for many years past, your lordships know, an evil spirit hath moved among us, which in truth hath been made the author and ground of all our distractions, and that is necessity and danger. This was the bulwark and the battery that serves to defend all exorbitant actions ; the ground and foundation of this great invasion of our liberties and estates, the judgment in the ship-

[1] For a specimen of the way in which scandal grows, see Baillie's remarks on this incident, i. 347.

[2] Rushworth, *Strafford's Trial*, 633. It is here misdated as spoken on April 12.

money ; and the ground of the counsel given of late to do anything, and to persuade the King that he was absolved from all rules of government." [1]

Pym followed Glyn. Taking as proved the attempt to substitute arbitrary will for law, he painted with a firm hand a picture of the misery which would follow on the substitution. Under the appearance of bringing the King to strength and honour, it brought him to weakness and dishonour. Reward and punishment, Strafford had once said, were the great motives by which men were led. Pym had a more excellent way to show. "Those," he said, "that live so much under the whip and the pillory and such servile engines as were frequently used by the Earl of Strafford, they may have the dregs of valour, sullenness, and stubbornness, which may make them prone to mutinies and discontents ; but those noble and gallant affections, which put men to brave designs and attempts for the preservation or enlargement of a kingdom, they are hardly capable of. Shall it be treason to embase the King's coin, though but a piece of twelve pence or six pence, and must it not needs be the effect of a greater treason to embase the spirits of his subjects, and to set a stamp and character of servitude upon them, whereby they shall be disabled to do anything for the service of the King and Commonwealth ?"

Pym's speech.

On this theme Pym had much to say. It was the old political faith of Elizabeth and Bacon revived in another form. The King, he held, could not act outside the nation as if he were separate from it. "The King and his people are obliged to one another in the nearest relations. He is a father, and a child is called in law *pars patris*. He is the husband of the Commonwealth ; they have the same interests ; they are inseparable in their condition, be it good or evil. He is their head. They are the body. There is such an incorporation as cannot be dissolved without the destruction of both."

To have done as much as in him lay to break up this harmonious unity was Strafford's crime. Pym's solemn voice

[1] Glyn's speech, Rushworth, *Strafford's Trial*, 706.

thrust the accusing charge home. Once indeed he faltered, and sought in vain amongst his notes. Then after a brief interval he recovered himself.[1] "Nothing," he concluded, "can be more equal than that he should perish by the justice of the law which he would have subverted; neither will this be a new way of blood. There are marks enough to trace this law to the very original of this kingdom; and if it hath not been put in execution, as he allegeth, this 240 years, it was not for want of law, but that all time hath not bred a man bold enough to commit such crimes as these, which is a circumstance much aggravating his offence, and making him no whit less liable to punishment, because he is the only man that, in so long a time, had ventured upon such a treason as this."[2]

Pym's noble exposition of constitutional right had been directed as much to the ear of Charles, who was listening eagerly to every word, as to the peers who were sitting in judgment. "I believe," wrote Baillie, "the King never heard a lecture of so free language against that his idolised prerogative."[3] It may be that if Charles, with heroic self-abasement, had stepped forward to take upon his own head the blame of the past, he might even yet have saved Strafford. Elizabeth might have done it. He could not do it. He could not even give his subjects reason to believe that he had done with the theories of Strafford for ever. On the very next day he intimated to the Houses that he hoped to see a general disarmament; but that, as for

Charles unable to help Strafford.

April 14. He will not dissolve the Irish army.

[1] "To humble the man God let his memory fail him to a point or two, so he behoved to pass them."—*Baillie*, i. 348. Out of this Mr. Forster constructed a romance about Pym's catching sight of Strafford's face and breaking down. Another account is:—"It was sport to see how Master Pym in his speech was fearfully out, and constrained to pull out his papers, and read with a great deal of confusion and disorder, before he could re-collect himself; which failing of memory was no small advantage to the Lord-Lieutenant, because by this means the House perceived it was a premeditated flash, not grounded upon the Lieutenant's last answer, but resolved on before, whatsoever he should say for his own justification."—*Brief and Perfect Relation*, 63. The contrast between Pym speaking from notes, and Strafford who spoke as the thoughts rose within him, is striking.

[2] Pym's speech, Rushworth *Strafford's Trial*, 661. [3] *Baillie*, i. 348.

any mere dismissal of the Irish army, he must defer his answer till 'after these great businesses now in agitation are over.'[1] The Commons now knew that they were to grope their way forward with that sword still suspended over their heads.

Questions involved in Pym's charge.

Three separate questions were involved in Pym's charge against Strafford. In the first place, Was Strafford's system of government of such a nature as to be destructive of the free constitution of England? In the second place, Did the prisoner deliberately purpose to overthrow that constitution? In the third place, Was this crime, assuming it to have been proved, of so deep a dye that it was fair to treat it as one which Strafford must have known beforehand to be punishable in accordance with the general spirit of the law, though nothing had been done in contravention of any actual statute as hitherto interpreted? To the first of these questions no one would now hesitate to answer in the affirmative. To the second, those who have most deeply studied Strafford's life and character would be ready unhesitatingly to reply in the negative. To understand Pym's consistency in upholding the doctrine, that Strafford was punishable by the spirit of the law, it is necessary to remember that neither he, nor the great majority of the House of Commons, doubted for an instant that Strafford's attack upon the constitution was intentional and deliberate. He was to them the great apostate, led into paths of daring wickedness by the combined temptations of avarice and ambition.

Second reading of the Attainder Bill.

Pym's anxiety to bring Strafford's condemnation within the terms of the existing law would have led him even yet to persist in the impeachment. To the mass of his fellow-members it was more important that Strafford should die than that the law should be magnified. Before the King's message about the Irish army arrived, the Attainder Bill had been read a second time, and it was ordered that it should be discussed in a Committee of the whole House in the afternoon from day to day.[2] The temptation to bring a pres-

[1] *L. J.* iv. 216.

[2] In his suggestive article on the trial in *Fraser's Magazine* (April, 1873) Mr. Palgrave thinks he sees evidence of an attempt to delay the Bill.

sure on the Peers was too strong to make any other course acceptable. Yet its advocates had already cause to regret that they had broken away from Pym. The debate on the order to go into committee had revealed the fact that the House of Commons was not unanimous even against Strafford. There was a scanty band [1] which urged over again every point which had been made by the Earl himself. One member asked whether Strafford's acts had amounted to treason. Another wished to know what proof there was that the Irish army was intended to land in England. The poet Waller went to the root of the matter by asking what were the fundamental laws—a question which drew down on him a retort from Maynard, that, if he did not know that, he had no business to sit in the House.[2] Yet in spite of the questionings of the minority it was resolved, before the afternoon of the 15th was over, that Strafford had endeavoured to subvert the fundamental laws of England.

The Bill in Committee.

April 15.

The Commons had now to learn how deeply they had

Whether this was so or not—and his practical experience of the House of Commons makes his opinion of great weight—it is altogether another question whether the delay was greater than was to be expected over a question of such importance, and in which such a warm interest was taken on either side. The Bill went into committee on the 14th, and was read a third time on the 21st, but a week later, though only the afternoons were set apart for the discussion. No doubt D'Ewes (*Harl. MSS.* clxiii. fol. 45) says of the debate of the 14th that many made trifling objections 'which they did only to keep off the question from being put. I was much amazed to see so many of the House speak on the Earl of Strafford's side.' But we are not bound now to hold that no one had a right to urge all that could be said on Strafford's side. When such intolerance prevailed amongst Strafford's enemies, his few friends may be pardoned if they sometimes urged rather poor arguments in his favour. This was the first occasion on which the Commons had really discussed the case on its merits.

[1] "The long continuance of a Parliamentary contest," writes Mr. Palgrave, "is a sure sign that opposing parties are very even." Perhaps so, when nothing is decided. But, when one side gives up point after point, it is a sign that one party is not sufficiently numerous to court a defeat. On the 19th there was a division on the most favourable ground that the Opposition could take, and D'Ewes tells us that they were beaten by at least three to one.—*Harl. MSS.* clxiv. fol. 180.

[2] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 43, 45; clxiv. fol. 172.

offended the Lords. In the ordinary course of the impeachment they should have appeared in Westminster Hall to hear the arguments of counsel on both sides on the legal questions arising out of the evidence. Pym and Strode asked that there might be no interruption of the proceedings. St. John, however, carried the House with him when he proposed to send a message asking the Peers to postpone their sitting which had been appointed for the purpose of hearing counsel, and informing them that the Commons had a Bill of Attainder under consideration.[1]

Offence given to the Lords.

The Lords at once took fire. They answered that they would go on with the trial whether the Commons appeared or not. They would hear counsel and deliver judgment. The Commons, in return, declared their resolution to proceed with their Bill.[2]

They refuse to stop the trial.

It was on such occasions that the weight of Hampden's character made itself felt. He seldom rose to speak, and he never spoke at any length. He now came to the support of the Lords. Let the managers, he said, be in their places to argue the question of law as they had before argued the question of fact. Pym seconded him vehemently. He told the members that if they abandoned the impeachment they would 'much dishonour' themselves. The House was only convinced so far as to resolve to be present, as a committee, to listen to the arguments of Strafford's counsel without replying to them.

April 16. Hampden attempts to mediate.

The legal argument on behalf of Strafford was therefore duly heard. On the 19th the question, whether Strafford's acts amounted to treason, was fought out in the Commons. Selden and Holborne battled hard against the inevitable conclusion. The committee voted by three to one that Strafford was a traitor.

April 17. The legal argument.

April 19. Strafford declared a traitor by the Commons.

With this vote the future of the Bill was practically settled as far as the Commons were concerned. The last

April 21. The proviso.

[1] *C. J.* ii. 121. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 48. Moore's Diary, *Harl. MSS.* cccclxxxvi. fol. 179 b.

[2] *Brief and Perfect Relation*, 69.

debate on it in committee was on a proviso forbidding the judges to act upon the principles laid down in it in any other case.[1]

Digby's speech.

The motion for the third reading was opposed by Digby in an impassioned speech. He denied that the charge of bringing over the Irish army was sufficiently proved, and he argued that, unless this were done, there was no evidence of treason. He was ready to consent to a Bill depriving Strafford of all power to do further hurt. To condemn him as a traitor would be a judicial murder. Such language had but little effect. Both Pym and Falkland declared in favour of passing the Bill, and it was read a third time by a majority of 204 to 59. Large as the majority was, it was a majority in a thin House. In those days there were no published division-lists to keep members to their duty. Many a man who had courted election, grew weary of attendance as soon as the choice had to be made between giving offence to the King and giving offence to those in whose company he sat. Theatres and bowling-alleys—'the devil's chapels' as D'Ewes sternly called them—were more attractive than long discussions on constitutional law. Those who voted on the third reading of the Attainder Bill may fairly be taken as the average political strength of the Long Parliament.

The third reading.

Digby's conversion.

The vote had been carried by a coalition between the bulk of the two parties which were divided on ecclesiastical questions. Except Digby's, the only names of note amongst the minority were those of Selden and Holborne. Something of Digby's conversion from the violence of his opposition in the first days of the Parliament was, no doubt, due simply to a real dislike of the hard measure which was being dealt out to

[1] This was naturally taken hold of by Strafford's friends as showing that the House was aware that it was stretching the law. The view of the Commons was that they would not trust the judges with a power which they believed Parliament to be capable of exercising. As was said, 'The words—to subvert the law—were very wide, and a corrupt judge might stretch them far.' D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 182. D'Ewes gave the only negative vote. He said 'it would be a great dishonour to the business, as if we had condemned him because we would condemn him.'

Strafford by men with whom the speaker had already come into collision on other grounds. More was owing to the flatteries which the Queen was now dealing out lavishly around her, and of which Digby had his full share. His change of front can excite no surprise. His polished brilliancy of speech was far more suited to the Court than to Parliament, and he had none of that steadiness of purpose, or of that reverence for the character of the nation as a whole, which would have kept him long by the side of Pym.

If the Queen had but little success in the Commons, she believed that her blandishments had been exercised not in vain amongst the peers. Holland had been won over by an offer of the command of the northern army, and Savile, the forger of the invitation to the Scots, by a promise that he should succeed Strafford in the presidentship of the North.

The Queen's influence over the peers.

Beauty with its tears passing into smiles may have done much with Digby. It was not likely to have had much effect with his father. Bristol was striving for an object which was worthy of a statesman's thought. He wanted to bring the constitutional judgment of the Lords to bear upon the envenomed quarrel which was arising between the Commons and the King. He wished to save Strafford's life whilst incapacitating him from office. He also wished to maintain the episcopal constitution of the Church whilst surrounding it with safeguards against the abuse of such powers as might be left in the hands of the bishops. It was a high and noble policy—a policy which, if it could only have been carried into effect, would have spared England many a day of misery. Whether it was possible to carry it into practice in the face of the angry passions which had been aroused, is a question which is hard to answer. As matters now stood, it would be difficult for the Lords to avoid the appearance of being actuated rather by regard for their own dignity than by a sense of duty. Scarcely had the Bill made its appearance amongst them when Savile, a man born to bring disgrace upon every party which he joined, cried out, 'that the Lower House did encroach upon the Higher House's liberties, and did not

Bristol's policy.

Altercation in the House of Lords.

know their duties.'[1] Being contradicted by Stamford, he answered rudely, and the affair almost ended in a duel. Yet, after all, Strafford's fate rested even more with the King than with the Peers, and for the moment it seemed that Charles would bow his neck to submit to the wise guidance of Bristol.

April 23. The King's letter to Strafford.

"The misfortune that is fallen upon you," he wrote to Strafford two days after the Attainder Bill passed the Commons, "by the strange mistaking and conjuncture of these times being such that I must lay by the thought of employing you hereafter in my affairs, yet I cannot satisfy myself in honour or conscience without assuring you now, in the midst of your troubles, that, upon the word of a king, you shall not suffer in life, honour, or fortune."[2]

For the moment, too, it seemed likely that Charles would give some security that, if he had not changed his mind, he had changed his policy. Again, there were rumours of a fresh distribution of offices. Bedford, who, without modifying his opinion that Strafford was a traitor, was ready to vote against the infliction of the death penalty in order to conciliate the King, was still named as Lord Treasurer. Saye, the most irreconcilable of Puritans, was to be Master of the Wards. Pym, it was supposed, as it had been supposed in February,[3] was to be Chancellor of the Exchequer. Twice in the course of the week he was admitted to an interview with the King.[4]

Rumours of official changes.

Efforts to save Strafford.

What passed between Charles and Pym we have no means of knowing. It is quite possible that Pym refused to be content with anything short of Strafford's life. Essex, at all events, would not hear of any lesser penalty. Hyde, of whom it is not known whether he had given a silent vote for the Bill of Attainder, or had abstained from voting, was employed by Bedford to argue down Essex's objections. At Hyde's suggestion that a heavy fine or a long imprisonment would be a sufficient punishment,

[1] One of the Scottish Commissioners to —— (?), April 27. *Wodrow MSS.* xxv., No. 155.

[2] The King to Strafford, April 23, *Strafford Letters*, ii. 416.

[3] See page 273.

[4] Tomkins to Lambe, April 26, *S. P. Dom.* ccccl xxix. 74.

the Earl shook his head. "Stone-dead," he bluntly answered, "hath no fellow." He argued that, even if Strafford were fined or imprisoned, the King would not only restore his estate and release all fines, but would likewise give him his liberty, as soon as he had a mind to make use of him, which would be as soon as the Parliament should be ended. Essex did but express an opinion which was very widely entertained. It was not so much a question whether Strafford had been a traitor as whether Charles could be trusted.[1] The clamour of the House of Commons was backed by a growing excitement in the City. On the 24th, 20,000 Londoners signed a petition calling for the execution of Strafford and the redress of grievances, as the only means of escape from the existing depression of trade.[2]

April 24. The Londoners' petition.

During the first stages of this negotiation a compromise was come to between the Houses. The Commons agreed to reply to the legal arguments of Strafford's counsel, if they were understood to be directed to the question whether the Bill of Attainder ought to pass, and not to the question what judgment ought to be given on the impeachment. In spite of opposition from Bristol and Savile the compromise was accepted by the Lords, and on the 27th the Attainder Bill was read in their House a second time. The 29th was fixed for hearing the legal arguments of the Commons.[3]

The Commons answer the arguments of Strafford's counsel.

April 27. Second reading of the Attainder Bill by the Lords.

Nevertheless, an impression seems to have prevailed that, though the Lords were unwilling to quarrel with the other House on a point of form, they had made up their minds not to send Strafford to the scaffold. It was evidently Charles's wisest course to rely on the Lords, and to allow himself to appear before the world, if he must interfere at all on Strafford's

[1] *Clarendon*, iii. 164. Dates and events are as usual mixed up here so as to create a thoroughly false impression, but I feel inclined to accept the separate anecdotes as substantially true. They are just the things which would remain in the author's mind when all sense of relation was lost.

[2] *Rushworth*, iv. 233.

[3] Brief Journal, March 1—May 3, *S. P. Dom.* cccclxxx. 9. *L. J.* iv. 227.

behalf, as the guardian of constitutional right. Charles could not make up his mind to risk all that must be risked by the steady pursuance of this line of conduct. To the Queen his attempts to respect the law must have seemed to be sheer infatuation. Her head was full of projects. No enterprise seemed too daring, no combination too extensive, for her self-willed inexperience. If we knew all we should probably be able to tell of Charles as carried away by her flashing eloquence, agreeing to everything that she proposed, and professing himself to be ready to carry out her projects, till calm consideration, out of her sight, once more commended to his mind some other plan which would at least keep him within the letter of the law. Such at least is the most probable explanation of the inconsistent action of the King during these agitated days.

The Queen's projects.

The Court of Henrietta Maria had few secrets. Rumour was busy with speculations as to the price paid by the Prince of Orange for a royal alliance. On the 19th Prince William arrived to claim his bride. The Court gossips at once fixed on the sum of 1,200,000 ducats as that which he had brought over to relieve the wants of his future father-in-law. One of the Scottish Commissioners asserted distinctly that the sum was 200,000*l.* Whether the tale was true or not, there is little doubt that Charles was at this time sending money to York to conciliate the troops, and that he was encouraged by the reports which reached him to expect the help of the Northern army in the event of a breach with Parliament. He talked of going down in person to take the command. It was believed that he intended first to attack the Scots, and then to turn his arms against those who resisted his authority in England.[1] Almost

April 19. Arrival of Prince William.

Charles sends money to the army.

[1] The King, says Giustinian, in his despatch of $\frac{\text{April } 23}{\text{May } 3}$, sent his money 'a dissegni di conciliarsi l'affetto loro, et renderle pronte a quelle impressioni che il tempo et la occasione le conciliassero d' intraprendere maggiormente opportune.' In a later despatch of $\frac{\text{April } 30}{\text{May } 10}$ the ambassador adds that the soldiers were well disposed to the King: 'e pare che prosegua nei disegni avisati di voler tentare di nuovo con la forza di por freno all'ardire

at the same time he was doing his best to conciliate these very Scots, and was assuring them of his intention to come to Scotland in person to preside over the next sitting of Parliament.[1]

Other plans there were of still more extensive reach. Charles and the Queen were to take refuge at Hampton Court, whence they would find the way open to Portsmouth. There they would find Goring, and they still fancied Goring to be true. An armed force was to be sent to seize the Tower, and the Northern army was to march on London. The Irish army, together with any troops which Frederick Henry might be disposed to lend, was to be summoned to Portsmouth, unless indeed it could be more profitably employed elsewhere. In the midst of the clash of arms, Parliament was to be dissolved, and Charles would be indeed a king once more.[2]

Plan for a violent dissolution of Parliament.

Such fantasies as these could hardly be reduced to practical

de' Scozzesi, non meno che a quella de' più seditiosi d'Inghilterra ancora.' *Ven. Transcripts.* A contemporary letter embodied in the *Brief and Perfect Relation* (p. 83) mentions a rumour 'that the Dutchmen have offered money to the King for a new service of war.'

[1] One of the Scottish Commissioners to ——, April 27, *Wodrow MSS.* xxv. No. 155.

[2] 'Quando si agitava la causa del V. Rè d'Irlanda e di volerlo in qualunque maniera salvarlo dalla morte, si determinò da quelle M. M^tà l'andata all' Amtoncurt, et in questo mentre mandar gente a sorprendere la Torre di Londra, rompere il Parlamento, et havendosi di gia acquistata buona parte dell' esercito regio ritirarsi le persone Reali a Posmur, porto di mare forse il più forte che sia in quei Regni. Così credevasi di liberare il V. Rè, e dar leggi à quelli che le volevano distruggere, sperando di poter ciò più commodomente effettuare mediante gl'aiuti di Hibernia e d'Olanda, se non per altra parte, almeno per il medesimo porto. Ma mentre le loro M. M^tà stavano apparechiate per eseguire le cose predette, sopragiunse corriero con avviso che il Governatore di Posmur, benche havesse giurato fedeltà al Rè, haveva dato in mano al Parlamento la piazza. Al che s'aggiunse parimente che il Capitano della Torre rifutò di consegnar le chiavi di essa a S. M^tà, et il popolo trovavasi preparato per andar a Vitale, a passarene anche ad Amtoncurt, se fosse fatto besogno.' Rossetti to Barberini, $\frac{\text{Jan. 30}}{\text{Feb. 9}}$, 1642, *R. O. Transcripts.* The refusal of the Lieutenant was on May 2, which brings the formation of the scheme to the end of April.

shape Something, too, was certain to ooze out. On the 28th it was known that for some weeks a vessel, chartered by Strafford's secretary, Slingsby, had been lying in the Thames, and that the master, being questioned about his destination, had answered gruffly, that it was nothing to him on what service he was employed so long as he had victuals and pay.[1] The suspicions which the Commons were thus led to entertain could not but be heightened by a speech addressed to them by the King on the afternoon of the very day on which they had received information of the preparations for Strafford's flight. In involved phraseology, Charles gave them to understand that he meant to keep the Irish army together till the English and Scottish forces in the north were disbanded.[2] Strange as it may seem, Charles appears to have expected gratitude for the announcement. The King, wrote D'Ewes, "stayed a pretty while looking about, but there was not one man gave him the least hum or colour of plaudit to his speech, which made him, after some time of expectation, depart suddenly. Many were much grieved at this speech, because they saw no sudden hope of dissolving the said Irish, popish army."[3]

April 28. Plan for Strafford's escape known.

The King again refuses to disband the Irish army.

Dissatisfaction of the Commons.

On the following day, in the midst of the investigations into the plans for Strafford's escape, and with the King's refusal to disband the Irish army fresh in their minds, the Lords were called on, to listen to St. John's argument on the legality of the Bill of Attainder. When he spoke, St. John had doubtless heard something at least of the rumours which were afloat, something perhaps of Charles's expectation from the Dutch marriage, or of the plan for bringing the army from the North, and he had certainly listened to the King's unsatisfactory speech of the preceding afternoon. Under the influence of this he broke away from the long chain of statute and precedent, upon which it was his business to

April 29. St. John's argument.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. 110. *L. J.* iv. 229. See also the story of the three women listening through the keyh le. *An Exact Collection*, 235.

[2] *C. J.* ii. 131.

[3] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 113.

rely. "We give law," he said, "to hares and deer, because they be beasts of chase; it was never accounted either cruelty or foul play to knock foxes and wolves on the head as they can be found, because they be beasts of prey. The warrener sets traps for polecats and other vermin for the preservation of the warren." Strafford's maxims were thus turned against himself.[1] The Commons, too, claimed, in a moment of supreme danger to be loose and absolved from all rules of government.

Charles's urgent appeal to the Lords.

There can be little doubt that by this time the Attainder Bill was gaining ground in the House of Lords.[2] The growing belief that plots, the extent of which it was impossible to know, were entertained at Court, would do more to convert the Lords than all St. John's eloquence. On the 30th, too, when the report of the King's speech of the 28th was read by the speaker, the Commons again testified their dissatisfaction. "There followed," according to D'Ewes, "a long silence in respect it gave so little hope of disbanding the Irish army, and yet that the King pressed us to disband the other two armies, and told us that we were masters of the same."[3] No wonder that Bristol and Savile,[4] the two

[1] Rushworth, *Strafford's Trial*, 703. We are told that several times in the course of this speech Strafford raised his hands to protest. In Ranke's account this grows into a special protest against this part of the speech.

[2] Writing of the King's speech of May 1, Giustinian says that it was made 'sospettando il Rè che l'odio di molti Parlamentarii con le gelosie di rendere mal sodisfatto il popolo persuadino ad abbraciarlo,' *i.e.*, the Bill of Attainder. A letter which reports news from another letter written on the 29th or 30th is more explicit. The writer says 'that the Bill of Attainder had been read twice in the Upper House, and the passing is yet doubtful. Thirty Lords are for it, but many of the fifty lords are come about, and therefore it is generally conceived the Earl will lose his head. Other letters say that Mr. St. John did make such an excellent argument as satisfied the opposites.'—King to Calthorpe, May 1, *Tanner MSS.* lxvi. fol. 72.

[3] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 120.

[4] These names are given in the letter of Father Philips (*Rushworth*, iv. 257). Clarendon gives Saye's name instead of Savile's. It is not likely

who were most anxious that Strafford's life should be spared by a constitutional vote of the House of Lords, urged Charles to come forward to give assurance that, in pleading for the life of the prisoner, he had no wish to restore him to authority in the kingdom. No doubt there was hazard in the step. The Lords might take umbrage at an interference by the King in a matter pending before them. Charles, however, had already brought matters to such a pass that to refrain from interfering was infinitely more hazardous.

The King consented to do as Bristol and Savile asked. Probably he was glad to do anything which gave him a chance of extricating himself from the wild schemes in which he was entangled. On the morning of May 1 the Usher of the Black Rod knocked at the door of the Commons. A whisper ran round the benches that a dissolution was imminent—a dissolution, which, as most men there believed, would be promptly followed by acts of violence. Maxwell at once reassured the members. "Fear not, I warrant you,"[1] he said with a smile, as he summoned them to the Upper House. When they arrived there they found the King on the throne. He had come, he said, to give three assurances. No one had ever advised him to bring the Irish army to England. No discussion had ever taken place in his presence, in which the disloyalty of his English subjects had been assumed. He had never been advised to change the least of the laws of England, far less the whole of them. He hoped, therefore, that a way might be found to satisfy justice without pressing on his conscience. He had already resolved that Strafford was unfit to serve him in any office, if it were but that of a constable. "Therefore," he ended by saying, "I leave it to you, my lords, to find some such way as to bring me out of this great strait, and keep ourselves and the kingdom from such inconveniences. Certainly,

May 1. The King's intervention.

that Savile was anxious to befriend Strafford, but he must have known that to procure the replacement of a sentence of death by one of banishment or imprisonment was the surest way to stand well at Court. The name of Bristol is conclusive against any suggestion that the action was meant to injure and not to save Strafford.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. 122.

he that thinks him guilty of high treason in his conscience may condemn him of misdemeanour."[1]

Effect of the King's interference.

The tone of the last sentence was undoubtedly unwise. It had too much the air of a dictator calling on the Lords to vote to order, and Strafford at least considered the King's intervention to be in itself impolitic.[2]

A week before, the speech might have had some effect. It could have no effect now. If the Lords remained unmoved, there was no chance of moving the Commons. So dissatisfied were the latter that Pym prudently moved an adjournment as soon as they returned to their own House after listening to the King's speech, 'lest they should break out in some rash distemper.' No clearer evidence of the depth of feeling against Strafford can be found than in the fact that Hampden assured Falkland that, as far as Church matters were concerned, he would be content with the passage of a Bill for the exclusion of the clergy from secular offices, and for shutting out the Bishops from the House of Lords, which had passed the Commons without serious opposition, and had been carried up to the Peers that very morning. It was known already that Charles had said in conversation that he would never give his assent to such a Bill. What information we have on the matter, indeed, points to a renunciation by Hampden of all further progress in Church reform, though, as a certain amount of Church reform was as dear to Falkland as it was to Hampden, it is probable that the whole story has not reached us. At all events it can hardly be doubted that Hampden announced that if the Bill passed he would never ask for the abolition of episcopacy.[3]

Compromise on the Church question.

The Bishops' Exclusion Bill.

May 2. Marriage of the Princess Mary.

The next day was a Sunday. It had been fixed for the celebration of the marriage of Charles's eldest daughter. Prince William of Orange, the bearer of the most illustrious name in Europe, a bright hopeful lad of

[1] *Rushworth*, iv. 239. Bristol and Savile must not be held responsible for the wording of the speech.

[2] Strafford to the King, May 1, *Rushworth*, iv. 251.

[3] *Clarendon*, iii. 330. Falkland is stated to have said after the autumn vacation 'that Mr. Hampden had assured him that, if the Bill might pass, there would be nothing more attempted to the prejudice of the Church.'

fifteen, plighted his troth at Whitehall to the child of nine who was one day in her early widowhood to bring forth a child who, nurtured in adversity, was to become the deliverer of half a continent. The day of the Princess's marriage was one of anxiety and gloom, and the ceremony was shorn of its accustomed splendour. There were divisions even in Charles's own household, and the Elector Palatine, who had at last been liberated from his French prison, refused to be present at the banquet because the bride had not been given to himself.[1]

Dissatisfaction of the Elector Palatine.

Roe's mission.

It was ambition rather than love which was the cause of Charles Lewis's displeasure. He had returned to England hoping that his uncle would at last help him to the recovery of his inheritance, and he found that all that could be done for him was the despatch of Roe on a fresh mission to Germany. Nor was the Elector the only Prince who miscalculated Charles's power to help. The Spanish monarchy was apparently breaking up. Catalonia was in full rebellion ; Portugal had shaken off the hated Castilian yoke, and had declared itself once more an independent kingdom under a prince of the house of Braganza. A Portuguese ambassador had lately arrived to ask for the alliance of England.

The pretended levies for Portugal.

The ambassador was not likely to gain much real assistance from Charles ; but there was a way in which Charles might gain something from the Portuguese ambassador. By authorising him to gather soldiers in England an excuse had been found for bringing armed men together in London. For some little time Suckling had been busily engaged, with the aid of a certain Captain Billingsley, in inducing men to give in their names for the Portuguese service. The men were collected with a very different object. Foiled in his hope of carrying the Lords with him to the side of mercy, Charles now fell back on his former plan. On the Sunday morning Billingsley made his appearance at the Tower with an order from the King to the Lieutenant, Sir William Balfour, to admit him into the fortress with a hundred men.

[1] Giustinian to the Doge, $\frac{\text{March } 26}{\text{April}}$, May $\frac{6}{16}$, *Ven. Transcripts, R. O.*

Balfour was a good Scotsman, and refused to let him in. He gave information of what had occurred to the Parliamentary leaders.[1] For Charles's purpose nothing worse could have happened. Even if he had learnt, from the coolness with which his speech had been received by the Lords, that Strafford could only be saved by force, it was childish to expect to gather secretly together armed troops in the heart of such a city as London, where there were thousands of men accustomed to bear arms, and where there was scarcely one of them who did not dread the liberation of Strafford more than any other earthly danger.

Billingsley refused admission into the Tower.

No doubt Charles might justify to himself the legality of what he had done. The law gave him the custody of the Tower, and it was his duty to see that his prisoners were safe from the violence of a mob. Coming as it did, after so many other intimations of an appeal to force, this act left the worst possible impression. The danger seemed all the greater because no one knew its actual dimensions. It was known in the City on Sunday that Suckling had brought sixty armed men to a tavern in Bread Street, and had dismissed them with orders to return on Monday evening.[2] This, then, was the comment of facts on the King's speech. It came at a time when men's minds were distracted with rumours of the King's intention to set out for the army, of an immediate dissolution of Parliament, and of aid given by the Dutch Prince to re-establish his new father-in-law in his ancient authority. The City was seized with a wild impatience to bring the long agitation to a close. As the peers gathered at Westminster on the morning of the 3rd they found the doors of their House beset by a mob shrieking for justice and execution upon Strafford. Arundel, as acting Lord High Steward, was specially called on to do justice. He answered meekly that he was going to the House to that effect. "We will take your word for once," replied those who stood nearest him, and let him go. When the peers came out again

Suckling brings armed men to a tavern.

May. 3 The tumults at Westminster.

[1] Balfour's examination, *Rushworth*, iv. 250. Examinations of Balfour, Wadsworth, and Lanyon, *An Exact Collection*, 232.

[2] Moore's Diary, *Harl. MSS.* cccclxxvii. 26 b.

at the end of their sitting, Bristol was in special danger. "For you, my Lord of Bristol," some one cried out, "we know you are an apostate from the cause of Christ, and our mortal enemy. We do not, therefore, crave justice from you, but shall, God willing, crave justice upon you and your false son."[1] As soon as the peers had dispersed, the crowd amused itself with posting up a placard containing, under the title of 'Straffordians, betrayers of their country,'[2] the names of the fifty-nine members of the House of Commons who had voted against the Attainder Bill. It is even said that one man called out, "If we have not the Lieutenant's life, we will have the King's."[3]

List of Straffordians posted up.

The riot was not the work of the ordinary populace. The stoppage of trade caused by the political uncertainty was felt by the merchants and shopkeepers more than by the apprentices, and all authorities concur in stating that merchants and shopkeepers constituted the bulk of those by whom the outcry was raised.[4]

Character of the mob.

When they met that morning the Commons remained for some time silently regarding one another, as men looking for counsel and finding none. At last the Clerk began to read the Bill which stood first on the Orders of Day. It happened to be one for regulating the trade of wiredrawing. The inappropriateness of the subject struck the members with a sense of ludicrous incongruity, and the tension of their feelings relieved itself in a loud burst of laughter. Then there was again silence for a quarter or half an hour.[5]

The meeting of the Commons.

[1] *Brief and Perfect Relation*, 85. Contemporary authorities attribute the arrival of the mob to the King's speech, but it is impossible to doubt that the knowledge of Suckling's meeting with his sixty men must have given the worst possible interpretation to the speech.

[2] For a complete list see *Verney Notes*, 57.

[3] *Brief and Perfect Relation*, 87.

[4] The Venetian ambassador, for instance, says that the mob consisted 'delli più bene stanti di questa città.'—Giustinian to the Doge, May $\frac{6}{16}$, *Ven. Transcripts*, *R. O.*

[5] D'Ewes's Diary, *Harl. MSS.* clxiii. 24. The doubt as to the time, says Mr. Sanford, 'in such an accurate man as D'Ewes, shows the alarm which he really felt.' *Studies of the Great Rebellion*, 351.

At last orders were given—none too soon—that a letter should be prepared to give assurance to the army that the soldiers should shortly receive the arrears of their pay. Then Pennington rose to tell of Suckling's armed gathering. These men, said Clotworthy, were but part of the forces which were being raised. There were intended to be 'three regiments of foot and one troop of horse; but for what end he knoweth not.' There was no division of opinion now. Tomkins rose to add 'that many Papists were newly come to London.' The King's speech delivered on Saturday was then read by the Speaker. Tomkins declared himself certain that Strafford was a traitor, and moved for a conference with the Lords.

A letter to be sent to the army.

Suckling's levies discussed.

Pym gave to this suggestion a more definite form. Even yet he was not prepared to bring odium on the King by revealing the knowledge which he had derived from Goring.[1] He pointed out that the King's interference with a matter still under discussion was a breach of the privileges of Parliament. Then, reiterating his conviction that Strafford was guilty of treason 'in the highest degree,' he acknowledged that, after the Lords had passed the Bill, the King would have it in his power to accept it or to reject it, as he thought best. If the King were then dissatisfied with it, it would be the proper time to 'inform him better.'

Pym's speech.

Pym, in short, was for leaving to the King his constitutional rights intact; but he had no idea of including amongst those rights that of directing a military force against Parliament. "Truly," he said, "I am persuaded that there was some great

[1] Historians have hitherto grounded their supposition that Pym now revealed his knowledge on a speech assigned by Rushworth to this day. That speech, however, contains a demand for the closing of the ports, and it is impossible that such a demand, if a sufficient motive were given for it, should have been left unacted on for two whole days. On the other hand, Pym's speech of the 3rd, as reported by Moore (*Harl. MSS.* ccccIxxvii. fol. 27 b), and in the *Verney Notes*, 66, is plainly different from the one given by Rushworth, which I assign to the 5th, the day when the order for closing the ports was given. Another mistake made here by Rushworth is that he gives May 3 instead of May 1, as the date of the sending up of the Bishops' Exclusion Bill to the Lords.

design in hand by the Papists to subvert and overthrow this kingdom, and I do verily believe the King never had any intention to subvert the laws, or to bring in the Irish army; but yet he had counsel given him that he was loose from all rules of government; and, though the King be of a tender conscience, yet we ought to be careful that he have good counsellors about him, and to let him understand that he is bound to maintain the laws, and that we take care for the maintaining of the word of God." The Commons must declare their allegiance to the King's person and legal prerogative. They must bind themselves to maintain the liberties of the subjects, must find means to pay the Northern army and the Scots, and must provide a remedy for the grievances of Ireland.

Pym's constitutional position.

As Pym had struggled against the conversion of the impeachment into an attainder, so he now struggled against the idea that the conflict with the King must be fought out by other than constitutional means. The King must be brought round by persuasion, not by force. In the end he must be surrounded by new counsellors, as a guarantee that he would conform to the new order of things. It was far too sanguine a view of what was possible with Charles. In the meanwhile Pym did not fail to recognise the necessity of a counter-organisation to the forces which still remained at the disposal of the monarchy. In our time it is difficult to understand the necessity of such a step. The House of Commons is with us itself the centre of the national organisation to which the whole country instinctively rallies. In 1641 it was nothing of the kind. All the habits of men led them to look to the King for guidance. Parliaments were but bodies meeting at rare intervals, doing important work and then vanishing away. Nor was Pym's name as yet one to conjure with. Inside the House he was becoming better known every day. Outside he was scarcely more than one of a multitude. In default of the enthusiasm which personal leadership gives, it was necessary to awaken the higher enthusiasm which is inspired by fellowship in a common cause. Secret cabals in the Court and in the army must be met by an appeal to the general feeling of the nation.

He proposes an appeal to the nation.

Further than that Pym did not go for the present. He wished, perhaps, to see how the idea would be received. At first it seemed to fall flat on the House. One member proposed a simple conference with the Lords on Strafford's case. Culpepper asked that a remonstrance, such as had been suggested early in the session by Digby, might now be drawn up for presentation to the King. Neither of these plans met the real difficulty, which lay in the fact that the danger came from the King himself. The situation was at last cleared by a few plain words from Marten. "We," he said, "are honest, disjointed fellows. Let us unite ourselves for the pure worship of God, the defence of the King and his subjects in all their legal rights." "He that hath been most abused," said Strode, "doth not yet perceive it. The ill counsel given to the King doth make that the King understandeth not what treason is; and, therefore, if care be not taken, we shall be dispersed through the kingdom."

Reception of his proposal.

One member after another rose to approve of Pym's idea. Peard referred to the precedent of the oath of association taken in Elizabeth's reign. Such a protestation, said Holles, would give them 'force and reputation.' It would show the world that they were united. They would then 'be able to go through with whatever' they might undertake. A committee was appointed to draw up the manifesto.

A protestation to be drawn up.

The reception of the report made by this committee revealed that, on some points, at least, the House was not united. The draft of the Protestation contained a promise to maintain 'the true reformed Protestant religion.' Hopton moved the insertion of the words, 'as it is now established in the Church of England.' A sharp controversy followed. The Root-and-Branch members refused to bind themselves against the changes which they believed to be necessary. A compromise was at last arrived at by which the maintenance of the doctrine of the Church was alone mentioned, whilst nothing was said about its discipline.[1]

[1] Moore's Diary, *Harl. MSS.* cccclxxvii. fol. 27 b. *Verney Notes*, 66. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 195. The first draft of the Protestation in the *Commons' Journals* is worthless.

"I, A. B.," so ran this memorable appeal in its final shape, "in the presence of Almighty God, promise, vow, and protest to maintain and defend, as far as lawfully I may, with my life, power, and estate, the true Reformed Protestant Religion, expressed in the doctrine of the Church of England, against all Popery and Popish innovations within this realm contrary to the same doctrine, and according to the duty of my allegiance, his Majesty's Royal person, honour, and estate, as also the power and privileges of Parliament, the lawful rights and liberties of the subjects, and every person that maketh the protestation, in whatsoever he shall do in the lawful pursuance of the same; and to my power, and as far as lawfully I may, I will oppose, and by all good ways and means endeavour to bring to condign punishment, all such as shall, either by force, practice, counsels, plots, conspiracies, or otherwise, do anything to the contrary of anything in this present protestation contained; and further, that I shall, in all just and honourable ways, endeavour to preserve the union and peace between the three kingdoms of England, Scotland, and Ireland; and neither for hope, fear, nor other respect shall relinquish this promise, vow, and protestation."[1]

The Protestation.

The importance of the Protestation lay far more in what was implied by it than in what it actually said. No doubt the Commons still believed that the King was led away by evil counsel, and that his own mind was perfectly pure and patriotic; but their belief had already reached that stage at which it seemed not quite advisable to act on it with complete assurance. Though the association to be formed must necessarily be formed for the King's security, it was as well that it should be organised without any reference to him. The Covenanter Baillie at once discerned the import of the Protestation. "After much debate," he wrote, "at last, blessed be the name of the Lord, they all swore and subscribed the write which here you have, I hope in substance our Scottish Covenant. God maketh our enemies the instruments of all our good. We see now that it hath been in a happy time that so much time hath been lost about Strafford's head."[2]

What was implied in it.

[1] *L. J.* iv. 234. [2] *Baillie*, i. 351.

As soon as the Protestation had been accepted, a Preamble was drawn up, in which the House declared that, in addition to the grievances which they had already made known, they found great cause of jealousy that endeavours "had been, and still are, to bring the English army into a misunderstanding of this Parliament, thereby to incline that army with force to bring to pass those wicked counsels."

The Preamble.

For the first time the danger which all men dreaded was clearly pointed at. Whether Pym had revealed all that he had known for weeks from Goring's information or not, the meeting of the officers at Boroughbridge cannot have remained a secret. Charles had been working as a conspirator in the broad light of day. Not only the Commons, but the Lords as well, were shocked by the discoveries which were pressing on them. When the Lords met again in the afternoon, it was evident that they were at last likely to range themselves on the side of the Lower House. They had drawn from Charles an acknowledgment that he had given orders to Billingsley to occupy the Tower, though he tried to explain away his share in the matter by alleging that it was necessary to keep the munitions in store under safe custody.[1] The Lords resolved that they would themselves see to their safe keeping, and directed that Essex, Saye, and Brooke should provide for the admission of 500 men from the Tower Hamlets as guards of the fortress. Charles's futile attempt to employ force had destroyed his chance of a constitutional support from the House of Lords. The Peers acquainted the Commons that the only hindrance in the way of the Bill of Attainder lay in the concourse of people round the House. They now wished to act as the Commons would have them act, but they did not wish to act under the appearance of dictation.

Fear of the army.

The next morning the Protestation was taken by all the

[1] The King's statement is to be found in the MS. Journals of the House of Lords. Like everything else relating to Strafford's trial, it was deleted with the pen after the Restoration, and is omitted in the printed journals; but there is no difficulty in reading every word.

Protestant Lords. Outside the doors the uproar continued.

May 4. The Lords take the Protestation.

In the place of the well-dressed merchants and shopkeepers who had appeared the day before, Palace Yard was filled by a rougher mob, armed with swords and clubs. No damage was, however, done, and in the afternoon the populace was sufficiently satisfied with the progress of affairs to return home.[1]

Intervention of the mob.

In the Commons a step was taken hardly second in significance to the adoption of the Protestation. The clergy and citizens of London were invited to testify their adherence to it by their signatures. There was to be a general association outside the House to oppose the machinations of the Court.

The Protestation circulated in the City.

As usually happens when danger is apprehended before it appears in a definite form, the air was full of rumours. Cradock, one of the City members, announced that preparations had been made to supply the army in the North with munitions of war.[2] Information from Paris spoke of movements of troops on the French coast, and these were interpreted as convincing proof that Louis intended to send help to his sister in her distress.[3] It is true that Montreuil had conveyed to the Parliamentary leaders assurances of Richelieu's friendship.[4] But diplomatic assurances are unsafe

Warlike rumours.

[1] Gerard to —— (?), May 6, *Tanner MSS.* lxvi. fol. 83.

[2] D'Ewes's Diary, *Harl. MSS.* clxiv. 197.

[3] "A Jesuit in Paris told an English merchant of the treason, viz., although he were of that order, yet he had English blood in him, and was grieved to see his country bought and sold, for the French soldiers were to land at Portsmouth, the Irish army in such a place, the Papist in such a place; and that merchant came away first and discovered it to Mr. Pym and two lords; and we hear that the Queen and Prince, and some say the King, should have been at Portsmouth, and so in the back of all the nobles; but if the City had been overrun and the Tower taken, it would have been a very sad time."—King to Calthorpe, May 17, *Tanner MSS.* lxvi. fol. 93. I gather that this news arrived on the 4th, because the sitting closed with an order that the House should consider on the following morning 'the motions this day made concerning Papists and Recusants, and concerning the declaring of those enemies of the State that should negotiate the bringing of any foreign force in the kingdom.

[4] Montreuil's despatch, March $\frac{4}{14}$, *Bibl. Nat.* Fr. 15,995, fol. 163.

ground to rely on, and it is quite possible that some rumour of the Queen's desire for help from France may have reached the ears of Pym. Even in these days of crisis the Queen's servants had been indiscreetly chattering of aid which was expected from that country,[1] and whether the story which had reached Pym from Paris was true or not, it was not one which he could safely afford to despise.

Confusion at Court.

At Whitehall, when night came, all was hurry and confusion. The tumults of the day, and of the day before, had thoroughly alarmed the Court. Neither Charles nor the Queen believed that they could remain with safety in London. The King talked of taking refuge with the Northern army. The Queen prepared to remove to Hampton Court, doubtless with the intention of seeking safety behind the walls of Portsmouth. Whitehall had no secrets from Pym. The news of the Queen's intended flight was undoubtedly serious. She might indeed be merely wishing to find shelter at Portsmouth, but it was only too likely that she intended to summon a French force to her aid. When the next morning arrived, Pym resolved to communicate to the House, if not all he knew, at least far more than he had before disclosed.

May 5. Pym reveals his knowledge of the Army Plot.

On the 5th, therefore, he told what he had heard from Goring and from others. A design, he said, had been formed, not only to disaffect the army, but to bring it up to overawe the Parliament. The French were drawing forces to the seaside, and there was reason to fear that they aimed at Portsmouth. Persons in high posts about the Queen were deeply engaged in these plots. The ports should therefore be stopped, and the King be

[1] Montreuil's despatches, May $\frac{6, 13}{16, 23}$. Mazure, *Hist. de la Révolution*, iii. 422. In order to discover the real sentiments of any set of people, the safest test is to look to expressions dropped casually rather than to formal opinions uttered in public. In a letter of compliment, the Earl of Warwick excuses himself from paying more attention to Prince William 'estant tousjours en les affaires d'Estat et du Parlement, pour nous vider des guerres civiles, que j'espère Dieu nous délivrera.'—Warwick to the Prince of Orange, *Groen van Prinsterer*, ser. 2, iii. 445.

asked to issue orders that no one in attendance upon himself or upon the royal family should depart without leave from his Majesty, given upon the advice of Parliament.[1]

Resolutions of the Commons.

Upon such an announcement the House could not but take immediate action. Each member was directed to supply information as to the arms and munitions in possession of his constituents, and to present to the House the names of such of the lords-lieutenants and their deputies as he considered to be well affected to religion and the public peace. A resolution was passed, that any person helping to bring a foreign force into the kingdom, 'unless it be by command of his Majesty, with the consent of both Houses,' should be adjudged to be a public enemy. The Peers were asked to take evidence upon the Army Plot by oath, and to request the King to detain all the attendants of the Court.[2]

The secret committee.

The Lower House, however, was not inclined to trust entirely to the Lords. A secret committee, consisting of Pym, Holles, Fiennes, Hampden, Culpepper, Clotworthy, and Strode, was appointed to conduct an independent investigation.[3]

Action by the Lords.

The Lords were now in a mood of ready compliance. The announcement that Newport, opposed to the Court as he was, had been appointed Constable of the Tower, fell flat in the excitement of the revelations which were crowding in upon them. A committee was appointed to ex-

[1] *Rushworth*, iv. 240. Giustinian, in his despatch of May $\frac{7}{17}$, mentions the King's intention to go to York, and the Queen's project. Montreuil, in writing of the proceedings of the 5th in the Commons, says that they were not quite certain about Suckling's plot for helping Strafford's escape, but that 's'estant fortifiés par la soudaine resolution qu'avoit pris la Royne de la Grande Bretagne d'aller à Hampton Court, et de là, comme on s'imagine à Portsmouth,' they sent a message to the King, *Bibl. Nat.* Fr. 15,995, fol. 230.

[2] The *Verney Notes* give a different order for the speeches from the *Journals* and *Moore's Diary*.

[3] The names are given in Moore's Diary, *Harl. MSS.* cccclxxvii. fol. 37 b. The appointment of the committee is not mentioned in the Journals, though the obligation to secrecy is, *C. J.* ii. 135.

amine into the Army Plot, with instructions to maintain secrecy; whilst a deputation waited on the King to ask him to detain the suspected persons. Charles gave the orders which he was asked to give.[1]

Panic in the House of Commons.

In the Commons the growing excitement manifested itself in unexpected ways. As the House was in full debate, a board in the floor of the gallery cracked under the weight of two very stout members. Sir John Wray, with the thought of a second Guy Fawkes on his mind, called out that he smelt gunpowder. Members who were near the door rushed out into the lobby. Strangers loitering in the lobby rushed out into Westminster Hall. Some of them shrieked out that the parliament-house was falling, and that the members were killed. When the news reached the City, the trained bands turned out to come to the succour of the members, and marched as far as Covent Garden before they learnt that their help was not needed.[2]

The Attainder Bill in the Lords.

No one now doubted that the Lords would pass the Attainder Bill. It was one thing to vote Strafford to perpetual imprisonment before Billingsley had been commissioned to secure the Tower and the Army Plot had been discovered; it was quite another thing in the face of a general belief that Charles had attempted to set him free in order that he might head troops in the field against Parliament. It is by no means likely that the Peers as a body changed their mind through craven fear of mob violence. We may well believe that, with the knowledge which had been gained since the beginning of the week, the rude saying "stone-dead hath no fellow" had taken possession of many who had closed their ears to it before.

Bill against the dissolution of the Parliament.

Whilst the Lords were pushing on the Attainder Bill, a still more important step was taken by the Commons. The necessity of finding money for the armies stared them in the face, and the only way of obtaining money was by contracting another loan. Harrison again came

[1] *L. J.* iv. 233.

[2] Rushworth, *Strafford's Trial*, 744.

to their aid, and offered to lend 150,000*l.* on the security of the customs.[1] At once the question was raised whether Parliament had it in its power to give any such security. The Commons were in instant fear of dissolution, and there could be very little doubt that the moment that the words of dissolution had been pronounced, the farmers of the customs would receive orders to pay their rent to the King, and not to Harrison. It was at once proposed—and it may be easily believed that there were other arguments in favour of the proposal besides those which were openly alleged—that a Bill should be brought in, providing that the existing Parliament should not be dissolved without its own consent. The proposal was welcomed with singular unanimity. It may be that Pym and Hampden threw their hearts into their vote more decidedly than Hyde and Falkland, but the assent of Hyde and Falkland was given as thoroughly as that of Pym and Hampden.

On the 6th it was expected that the courtiers charged with participation in the Army Plot would appear before the Lords' Committee. News, however, soon arrived that Percy, Jermyn, and Suckling had fled the night before, and that Davenant the poet, who had been in some slight way connected with the affair, was also missing. Davenant was captured and brought back. The rest succeeded in escaping to France. Jermyn carried with him the King's warrant, licensing him to pass the sea.[2]

May 6. Escape of the plotters.

The King's promise to detain his servants and the Queen's had been of little avail. The Lords now took the matter into their own hands. They despatched orders to stop the ports. They sent to request the King to hinder the Queen's journey to Portsmouth.[3] Charles gave them no answer whatever. "I am my father's daughter," said the Queen, with flashing eyes; "he never knew how to fly, and I am not going to learn the lesson now."[4] Next morning

Proceedings in Parliament.

[1] Moore's Diary, *Harl. MSS.* cccclxxvii. fol. 38.

[2] Warrant in *Rushworth*, iv. 274.

[3] *L. J.* iv. 236.

[4] Giustinian to the Doge, May $\frac{7}{17}$, *Ven. Transcripts, R. O.*

as the King gave no sign of answering their request, the Houses despatched Mandeville with two members of the Commons to Portsmouth, to examine into Goring's proceedings. At the same time the peers, grasping the reins of authority in their own hands, gave orders for the issue of a proclamation for the arrest of the fugitives.[1]

May 7. Commissioners sent to Portsmouth.

By this time even the King must have known that the Lords would pass the Bill of Attainder. Of that middle party which had wished to save Strafford's life by incapacitating him for office, Bristol and Holland had withdrawn from the struggle, and had been excused from voting on the pretext that, having given evidence as witnesses, they could not appear as judges.[2] Bedford was lying on his death-bed, stricken down by small-pox. The Bill, taken up on the morning of the 5th, was read for the third time on the 8th. It finally passed in a thin House. The Catholic peers were in dread of their lives, and were excluded by their refusal to take the Protestation. Many of the other peers absented themselves when the votes were taken. Some of them may have been too timid to appear, but the majority of them were in all probability deterred from voting by their disinclination to support a Government which had called in an armed force to arbitrate in a constitutional dispute. At the same time the Peers passed the Bill for protecting the actual Parliament against dissolution. They had supported an amendment limiting its effect to two years, but they gave way before the objections of the Commons.

Failure to form a middle party in the House of Lords.

May 8. The Bill of Attainder read a third time.

Third reading of the Bill against dissolution.

Strafford had already learned that nothing remained for him but to die with dignity. "It hath been my greatest grief," he had written to Charles in the beginning of the past week, "in all these troubles, to be taken as a person which should endeavour to represent and set things amiss between your Majesty and your people, and to give

May 4. Strafford's letter to the King.

[1] *L. J.* iv. 238.

[2] This is in the deleted portion of the MS. Journals.

counsels tending to the disquiet of the three kingdoms. . . . Therefore, in a few words, as I put myself wholly upon the honour and justice of my peers, so clearly as to wish your Majesty might please to have spared that declaration of yours on Saturday last, and entirely to have left me to their lordships; so now, to set your Majesty's conscience at liberty, I do most humbly beseech your Majesty, for prevention of evils which may happen by your refusal, to pass this Bill, and by this means to remove—praised be God, I cannot say this accursed, but, I confess—this unfortunate thing forth of the way, towards that blessed agreement which God, I trust, shall ever establish between you and your subjects. Sir, my consent shall more acquit you herein to God than all the world can do besides. To a willing man there is no injury done; and, as by God's grace, I forgive all the world, with calmness and meekness of infinite contentment to my dislodging soul, so, Sir, to you I can give the life of this world with all the cheerfulness imaginable, in the just acknowledgment of your exceeding favours; and only beg that, in your goodness, you would vouchsafe to cast your gracious regard upon my poor son and his three sisters, less or more, and no otherwise than as their, in present, unfortunate father may hereafter appear more or less guilty of this death. God long preserve your Majesty." [1]

May 8. Rumours of a French attack.

On the morning of May 8—the morning on which the Attainder Bill passed the Lords—London was a prey to the wildest panic. A French fleet, it was everywhere believed, had seized Jersey and Guernsey.

[1] Rushworth, *Strafford's Trial*, 743. Some doubt has been thrown on the authenticity of this letter, but Radcliffe's testimony (*Strafford Letters*, ii. 432) would be sufficient, if it did not speak for itself. The date given in the *Brief and Perfect Relation* is the 9th, which must be wrong from the reference to 'Saturday last' as the day of the King's speech. Mr. Palgrave informs me that in his copy the figure is corrected to 4 in an apparently contemporary hand, and that when the speech was printed in 1641, it was printed with the date of May 4. On the other hand Radcliffe gives the 7th, and it is more likely that 9 should be a misprint for 7 than for 4. External evidence is in favour of the 4th, as Strafford would have been more likely to write soon after the first intervention of the mob. I have, therefore, adopted this date in the text.

A cry was raised to lodge the King and Queen in the Tower.

The Queen prepares to fly.

News of the danger was hastily conveyed to Whitehall. The Queen resolved to carry out her design of retreating to Portsmouth. Her carriage was already at the door when Montreuil arrived, counselling her against so rash an act. He told her that she would infallibly be stopped on the way. In consequence of his warning she relinquished her design. False as the rumour of the French attack was, it did no wrong to the Queen. If she had had her way a French force would by this time have been in possession of Portsmouth. The popular instinct rightly fixed on her as the author of the mischief.[1] Calumny came to add its bitterness to her cup, and it was rumoured that she loved Jermyn too well for her honour, and that she was hurrying to France because she could not live apart from her lover.[2]

Montreuil gives assurance that France is friendly to the Parliament.

Having saved the Queen from herself, Montreuil assured Holland that there was not a word of truth in the rumours which were abroad, and that his master preferred the friendship of the English Parliament to that of the English King. Least of all was he likely to do anything to assist Strafford, who had always been a partisan of Spain.

Charles urged to assent to the Attainder Bill.

Twice during that Saturday morning deputations from the Lords urged Charles to give his assent to the Attainder Bill. To the first he replied in the negative. To the second he expressed his readiness

[1] We must not measure Pym's knowledge by that which he saw fit to reveal in public. "The Parliament," we are told, "hath not openly declared what the plot was; but it is said that the French were to come in upon the South—to this end apparently the Queen was going to Portsmouth. The English army and Papists were to join against London and the Parliament; and the Irish were to go against the Scots."—One of the Scottish Commissioners to ——, May 11, *Wodrow MSS.* xxv. No. 161. This might seem to be mere gossip; but it should be compared with Rossetti's testimony at page 343, Note 2.

[2] Montreuil's part in persuading the Queen to stay does not rest, as Ranke supposed, solely on his own authority. It is confirmed by Giustinian. I have drawn my narrative from these two sources and from Rossetti's letter of May $\frac{14}{24}$.

to receive the two Houses in the afternoon, and to declare his resolution. Before the hour arrived he learnt that Goring had been the traitor who had told the secret of the Army Plot, and that he had now handed over the fortifications of Portsmouth to the Parliamentary Commissioners. No place of refuge remained for Charles on English soil.

He learns that Goring is a traitor.

When the two Houses arrived they brought with them the Bill for perpetuating the Parliament as well as the Attainder Bill. They were followed by an armed multitude. Charles looked sadly on them, and told them that his final answer should be given on Monday. The mob was but ill-pleased at the delay, and an attack on the palace appeared to be imminent. At last one of the bishops, most likely Williams,[1] stepped to a window, and pacified the rioters by assuring them that the answer, when it came, would be all that they could desire.

He postpones his answer till Monday.

All through the night panic reigned at Whitehall. At any moment the mob might break into the palace. Catholic courtiers, or courtiers who were Catholics in moments of danger, sought out the Queen's chaplains, flung themselves on their knees, and poured out their confessions, as if they were in presence of instant death. Others, who were more worldly-minded, secreted their jewels about their persons, that their whole property might not be utterly lost when the moment for flight arrived. By all, Monday was looked forward to with the gravest apprehension. It was fully believed that the Parliamentary leaders were resolved to use force if necessary, and that they had written to their supporters in the neighbouring counties to come up to London to their aid.[2]

Panic at Whitehall.

If Charles had none of the vigour of the man of action, he had, as his subsequent life showed, the passive courage of the

[1] Rossetti says it was 'un ministro Puritano'; but no one but a bishop, and hardly anyone but Williams, is likely to have taken the lead in this way.

[2] This is stated by Giustinian, and he is likely to have been well informed at least of the belief at Court.

martyr. It may be that if he had been alone in the danger now, he would have met it with the same patient endurance which he was to display eight years later. But the threats of the multitude were directed not so much against himself as against her whom he loved with a passionate and devoted love. He saw her that day in tears of mingled fear and vexation. How could he endure the thought that her tender frame might soon be in the hands of a raging pitiless multitude; that she might be dragged off to prison, fortunate if at last she reached the prison alive? Perhaps, too, he felt that he had been the cause of all this evil. He knew well what she thought of his indecision, and he may well have reckoned it amongst his sins that he had not faced his enemies more boldly. Thoughts such as these may have thrust out the compassion for Strafford which had hitherto occupied his heart. Charles's power of imagination was singularly weak, and the absent prisoner in the Tower would touch him less than the sobbing partner of his life, whom he saw before him with his bodily eyes.

Charles's feelings for the Queen.

After an anxious and probably sleepless night, Charles met his Council on Sunday morning. Its members, with one accord, advised him to yield. The judges were asked whether they held Strafford to have been guilty of treason, and they answered in the affirmative. Four bishops were then called on to satisfy Charles's conscience. Was it right for him to set up his individual opinion against the opinion of the judges? Juxon advised him to refuse his assent to the Bill, 'seeing he knew his lordship to be innocent.' Williams argued that the King had a public as well as a private conscience, and that he ought to submit his judgment to those who were learned in the law. In ordinary cases in which men were condemned to death the responsibility rested on the judges, not on the King, and so it should be now.[1]

May 9. The King in Council.

Opinion of the judges and bishops.

Charles still hesitated. His soul was wrung with agony.

[1] Radcliffe's Diary, *Strafford Letters*, ii. 432. Hacket, *Life of Williams*, ii. 161.

The bishops were summoned a second time. This time Usher was amongst them, and Usher sided with Juxon. Williams persisted in the view which he had taken of the King's duty.[1]

The King hesitates.

All day long the street in front of Whitehall was blocked by a shouting multitude. Every minute it was expected that an attempt would be made to dash in the doors.[2] The mob took up the cry that the Queen Mother was at the bottom of the mischief, and guards had to be despatched to St. James's to preserve her from attack.[3] The Queen, alarmed for her mother's safety and her own, was no longer in a position to urge resistance.[4] By this time, too, Charles probably knew that nothing would be gained by further resistance. Strafford was no longer in his hands to dispose of. A last attempt to effect his escape had been tried and had failed. The Earl had offered Balfour 20,000*l.* and a good marriage for his son, if he would connive at his evasion, and Balfour had been proof against the temptation.[5] The unscrupulous Newport was now installed as Constable of the Tower, and he had given assurance that if the King refused his assent to the Bill he would order Strafford's execution without it.[6]

The mob in the streets.

It was nine in the evening before Charles, wearied out with the long mental conflict, gave way at last. "If my own person only were in danger," he said, with tears in his eyes, as he announced his resolution to the Council, "I would gladly venture it to save Lord Strafford's life; but seeing

Charles gives way.

[1] Elrington's *Life of Usher*, Works, i. 212.

[2] *Brief and Perfect Relation*, 93.

[3] Rossetti to Barberini, May $\frac{14}{24}$, *R. O. Transcripts.*

[4] As Mr. Forster has argued, it is plain, from the words of the Elector Palatine's letter, printed by him in *British Statesmen* (vi. 71), that she was really much displeased at the death of Strafford. The notion that she had been his enemy is one founded on a state of things which had long ceased to exist.

[5] Balfour's examination, June 2, *An Exact Collection*, 232. As this took place three or four days before Strafford's execution, this attempt must not be confounded with the earlier one betrayed by the three women.

[6] *Clarendon*, iii. 200.

my wife, children, and all my kingdom are concerned in it, I am forced to give way unto it."[1]

In after-years Charles bitterly repented his compliance. He never lamented that which made the compliance almost inevitable—his want of confidence in the constitutional resistance of the peers, and his resort to intrigues which he knew not how to conduct, and to force which he knew not how to employ. Better, indeed, would it have been for Charles to have remained firm to the end. No doubt even Williams's argument was not entirely without its value. Some way must be discovered in which the performance of national acts shall be loosed from bondage to the intelligence and conscience of a single man; but the time had not yet come when kings would cease to be responsible for actions which had become mere formalities. Charles sinned against his conscience. Let him who has seen wife and child, and all that he holds dear, exposed to imminent peril, and has refused to save them by an act of baseness, cast the first stone at Charles.

Charles announced that on the following morning both the Bills should be passed. Williams begged him to think of his prerogative, and to reject the Bill against the dissolution of Parliament.[2] Charles would have none of his advice on this matter. The next morning he signed the appointment of commissioners charged to give his assent to the two Bills, and in this way they became law without his personal intervention. "My lord of Strafford's condition," said Charles as he wrote his name, "is more happy than mine."[3]

Promises to pass the two Bills.

May 10. The Royal assent given.

On Tuesday morning Charles made one more desperate effort to save Strafford. "I did yesterday," he wrote to the peers, "satisfy the justice of the kingdom . . . but mercy being as inherent and inseparable to a king as justice, I desire at this time in some measure to show that likewise, by suffering that unfortunate man to fulfil the natural close of his life in a close imprisonment; yet so

May 11. The King's letter.

[1] The Elector Palatine to the Queen of Bohemia, May 18, Forster's *British Statesmen*, vi. 71.

[2] *Hacket*, ii. 162.

[3] *Strafford Letters*, ii. 432.

that if ever he make the least offer to escape, or offer directly or indirectly to meddle in any sort of public business, especially with me, by message or by letter, it shall cost him his life. This, if it may be done without a discontentment to my people, would be an unspeakable contentment to me. . . . I will not say that your complying with me in this my intended mercy shall make me more willing, but certainly it will make me more cheerful in the granting your just grievances ; but if no less than his life can satisfy my people, I must say *Fiat justitia*." At the close of his letter, remembering that the prisoner, whose whole energy had been employed in the struggle for his life, had had but little time to set his affairs in order, he added a brief postscript, "If he must die, it were a charity to reprieve him until Saturday."[1]

The Houses were pitiless, as terrified men are. They had no confidence in Charles. Stone-dead, they thought, had no fellow.

Strafford himself had no hope that he would be spared. He had offered his life for the safety of the King, the strong for the weak. Yet the news that Charles had abandoned him came on him like a shock. "Put not your trust in princes," he cried, "nor in the sons of men, for in them there is no salvation."[2]

May 10. Strafford hears that he is to die.

The next day, the last of his life on earth, Strafford's thoughts reverted to his old and tried friend, now his fellow-prisoner. He asked Balfour if he might be allowed to see Laud. Balfour told him that he must first have leave from Parliament. "No," said Strafford, "I have gotten my despatch from them, and will trouble them no more. I am now petitioning a higher Court, where neither partiality can be expected, nor error feared." He would rather send a message by Usher, who had come to console him in his last hours. "Desire the Archbishop," he said, "to lend me his prayers this night, and to give me his blessing when I do go abroad to-morrow, and to be in his window, that by my last

May 11. Asks to see Laud.

[1] *L. J.* ii. 248.

[2] The story comes from Whitelocke, and is therefore not on the best authority, but I am inclined to accept it.

farewell I may give him thanks for this and all his former favours."

Laud was not likely to refuse his friend's last request. As Strafford was led to execution in the morning, he saw the old man at the window. "My lord," he said with a humble reverence, "your prayers and blessing." Laud raised his hands to implore God's mercy on the tried comrade who was treading the path to freedom on which he was one day to follow. Overcome by his emotion, he fell fainting to the ground. Strafford's last words to him, "Farewell, my lord, and God protect your innocency!" were addressed to ears that heard them not.

Is led to execution.

Strafford's step was firm, and his port erect. His friends said of him that his look was more like that of a general at the head of an army than of a prisoner led to execution. When the sad procession reached the Tower gates, Balfour advised him to take a coach, lest the people should tear him in pieces. "No, Master Lieutenant," was the proud reply; "I dare look death in the face, and I hope the people too. Have you a care that I do not escape, and I care not how I die, whether by the hand of the executioner or the madness and fury of the people. If that may give them contentment, it is all one to me."[1]

May 12.

No such danger was to be feared. It was calculated that there were full two hundred thousand persons on Tower Hill.[2] They had not come as murderers. They believed that they were there to witness an act of justice.

The crow on Tower Hill.

From the scaffold the fallen statesman addressed his last words to those amongst that vast multitude who were within hearing. He told them truly that he had ever held 'parliaments in England to be the happy constitution of the kingdom and nation, and the best means under God to make the king and his people happy.' He wished that all who were present would consider 'whether the beginning of the people's happiness should be written in letters of blood.' After

Strafford's last speech.

[1] *Brief and Perfect Relation*, 98.

[2] Giustinian to the Doge, May $\frac{14}{24}$. *Ven. Transcripts, R. O.*

professing his attachment to the Church of England he knelt for awhile in prayer, remaining on his knees for a quarter of an hour. He then rose, took leave of his brother, and sent messages to his wife and children. Having fulfilled all earthly duties, he prepared himself for death. "I thank God," he said, as he took off his upper garment, "I am not afraid of death, nor daunted with any discouragement rising from my fears, but do as cheerfully put off my doublet at this time as ever I did when I went to bed." The executioner then drew out a handkerchief to cover his eyes. "Thou shalt not bind my eyes," said Strafford, "for I will see it done." He placed his neck upon the block, telling the executioner that after he had meditated awhile, he would spread forth his hands as a sign to him to strike. After a little while the hands were spread to grasp the mantle of the Eternal Father. The blow fell, and that life of disappointed toil had reached its end.[1]

Preparing for death.

It is possible now to understand that in his own sense Strafford was speaking the truth when he declared his devotion to the parliamentary constitution, and that yet he was, in the truest sense, the most dangerous enemy of parliaments. He attempted to maintain the Elizabethan constitution, long after it was possible to maintain it, and when the only choice lay between absolute government and Parliamentary supremacy. In contending against the latter, he was, without knowing what he was doing, giving his whole strength to the establishment of the former.

What were Strafford's aims?

Yet, ruinous as his success would have been, in his devotion to the rule of intelligence he stands strangely near to one side of the modern spirit. Alone amongst his generation his voice was always raised for practical reforms. Pym and Hampden looked upon existing society as something admirable in itself, though needing to be quickened by a higher moral spirit, and to be relieved from the hindrances thrown in its way by a defective organisation. Strafford regarded that society as full of abuses, and sought in the organisation which was ready to his hand, the lever by which those abuses might be removed.

[1] Rushworth, *Strafford's Trial*, 759. *Brief and Perfect Relation*, 104. News-letter, *Add. MSS.* mccccIxvii. fol. 31.

In happier times Pym and Strafford need never have clashed together, save in the bloodless contests of parliamentary debate.

Doubtless it was well for Strafford himself that he found no mercy. What a lot would have been his if he had lived to hear, from behind the prison-bars, of the rout of Naseby and the tragedy of Whitehall! What a far worse lot would have been his if he had lived to break away from his obligations, and to help the King to a victory which could only be made secure by the establishment of military rule! A pamphlet of the day represented the case more truly than is generally to be expected from such ephemeral productions. When Charon, we are told, was ferrying over the Styx the latest arrival, he complained that his boat was sinking under the unwonted weight. He is informed that the explanation is easy. That passenger had swallowed three kingdoms. On landing, Strafford is accosted by Noy, who asks him for news from the world of living men, and offers to conduct him amongst the lawyers, who are paying their respects to the ghost of Coke. Strafford turns proudly away. Noy wishes to know where he will choose his residence. "In any place," is the reply, "so that I may have that which I come for—rest."[1]

Contemporary opinion on his death.

Such was the utmost for which a contemporary could dare to hope. A great poet of our own day, clothing the reconciling spirit of the nineteenth century in words which never could have been spoken in the seventeenth, has breathed a higher wish. On his page an imaginary Pym, recalling an imaginary friendship, looks forward hopefully to a reunion in a better and brighter world. "Even thus," Pym is made to say—and we may well wish that it had been possible for him to say it—

Modern opinion.

> "Even thus, I love him now:
> And look for my chief portion in that world
> Where great hearts led astray are turned again,
> (Soon it may be, and, certes, will be soon:
> My fflission over, I shall not live long,)

[1] *A Description of the Passage of Thomas, late Earl of Strafford, over the Styx*, 1641 (E. 156).

Ay, here I know I talk—I dare and must,
Of England, and her great reward, as all
I look for there ; but in my inmost heart,
Believe, I think of stealing quite away
To walk once more with Wentworth—my youth's friend
Purged from all error, gloriously renewed,
And Eliot shall not blame us."[1]

[1] Browning's *Strafford*, Act. v. sc. ii.

CHAPTER XCIX.

ECCLESIASTICAL DIVISIONS AND CONSTITUTIONAL REFORMS.

1641. May 10. Importance of the Bill for the continuance of Parliament.

It is probable that, in the humiliation of Strafford's death, Charles thought little of the abandonment of authority contained in the Act for prohibiting the dissolution of the existing Parliament. Onlookers saw the full effect of that statute. "I may live to do you a kindness," said Dorset to the King, "but you can do me none." "Will it be possible," asked Williams "for your truest lieges to do you service more?"[1]

The Act, in truth, was a revolutionary one without being revolutionary enough. Traditional reverence stood in the way of the dethronement of a sovereign who was not to be trusted. In fear lest he should use his acknowledged powers to give a legitimate sanction to a dissolution accomplished by military violence, Parliament wrested from him the right of consulting the nation at all. It is hard to see how Parliament could have done otherwise so long as Charles remained on the throne. The execution of Strafford had fixed a great gulf, never to be bridged over, between the King and the House of Commons. To the Commons Charles was the supporter of a traitor to the liberties of England. To Charles the Commons were the murderers of a faithful servant, and rebels against lawful authority, with whom no terms were to be kept. The position had all the disadvantages and none of the advantages of a state of war. The new Act had constituted two independent powers, each of which was armed with sufficient authority to

[1] Sir J. Bramston's *Autobiography*, 83. *Hacket*, ii. 162.

reduce the other to impotence. Parliament had not ventured to claim that sovereignty for itself, before which all discordant elements must give way.

For the present Charles had to acknowledge, practically, that he had found his masters. He had to promise to disband the Irish army. He found himself checked in the distribution of offices. On the 13th he appointed Heath to the Mastership of the Wards. He was obliged to cancel the appointment and to give the post to Saye.[1] He had destined the Lieutenancy of Yorkshire to Savile, as a reward for the support which he had given to him during Strafford's trial. Parliament requested him to appoint Essex, and he was obliged to yield. The Treasury, vacated by Juxon, was put in commission. The secret committee was sitting daily to extract evidence of the Army Plot from the King's familiar attendants, and even from the ladies of the Queen's Bedchamber. It soon appeared that there need no longer be any fear from France, as the French troops, whose movements had scared the citizens of London, were heard of as landing in Picardy.[2] Charles, however, knew full well how many other secrets existed which he would be loth to have dragged into the light of day.

Parliament master of the position.

May 13.

May 20.

The Queen was even more deeply compromised than her husband. She had to look on in silent vexation whilst the Catholics were questioned for every rash word that had sprung to their lips. It was inevitable that the hopes which they had cherished of relief from the proscription to which Parliament had doomed them, should have found vent in wild expressions of anticipated triumph. It was inevitable, too, that Parliament, merciless towards those whom its oppression stung into anger, should believe the danger

May 14. The Catholics suspected

[1] Heath's appointment is on the Patent Rolls. Saye's was not enrolled. Mr. Selby, whose wide knowledge of the documents in the Record Office is always at the service of inquirers, discovered for me an entry on the Books of the Controller of the Hanaper, stating that Saye presented a '*carta*' on the 24th. Whitelocke dates the appointment on the 17th. A news-letter gives the 16th.—*Sloane MSS.* mccccIxvii. fol. 37.

[2] Salvetti's *News-Letter*, May $\frac{14}{24}$.

greater than it really was, and should catch at chance phrases, some of them, perhaps, misreported or exaggerated, as evidence of a deliberate plot for the overthrow of the parliamentary constitution. One recusant's wife, it was reported, had predicted that the Parliament House would shortly be in flames. Another had been overheard to say, that there would be a black day before long, and that many would be fatherless. An incoherent letter, directed to a recusant lady—in all probability a silly forgery—was picked up in the streets. It contained a request for money, and referred with satisfaction to the approaching slaughter of the beast with many heads.[1] Men, comparatively young, could remember how, in the days of the Gunpowder Plot, their fathers had been saved from destruction by a letter just as incoherent. Orders were given to imprison all the priests in England, and there were many who were dissatisfied that no harsher measures were taken. A closer home-thrust at the Queen was a demand that her mother should leave the country.

If ever lesson had been plain to read it was that which had been given to Charles by his failure to save the life of Strafford. Yet scarcely was Strafford dead when he prepared himself to tread once more the weary round of intrigue which had already cost him so dear. It was now known that he proposed to visit Scotland in person as soon as the treaty between the kingdoms was concluded.[2] Those who were trusted with his secrets were aware that he was looking to this journey as a means of regaining that authority which he had lost in England. Anything seemed to him to be better than an attempt to come to an understanding with Parliament.[3] It is hardly likely that a secret shared

May 18. Charles proposes to visit Scotland.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 167 b, 180 b.

[2] The Elector Palatine to the Queen of Bohemia, May 18.—Forster's *Lives of British Statesmen*, vi. 71.

[3] 'Sua Maestà francamente affermà di transferirsi a dissegno per aventura di rialzare con la presenza sua qualche altra machina et migliorar la conditione della propria autorità.'—Giustinian to the Doge, May $\frac{21}{31}$, *Ven. Transcripts.* The intentions of the King were acknowledged by the

amongst so many would be long a secret from Pym. Lady Carlisle, vexed, as it has been thought, at the King's abandonment of Strafford, placed her talents for political intrigue at the service of the Parliamentary statesman. Without any deep feelings herself, she loved to be of importance, and she was shrewd enough to make herself useful to the real leaders of men, and to despise those, who like the King and Queen, were decked in the mere trappings of authority. To the excitement of a youth of pleasure was to follow the excitement of a middle age of treachery. It was to be her sport to listen to trustful words dropped in confidence, and to betray them to those who were ready to take advantage of her knowledge.

Lady Carlisle and Pym.

In looking for help from Scotland Charles was not altogether pursuing a shadow. There were already signs that the good understanding between the English Parliament and the Scots was somewhat shaken. The delay in providing the Scottish army with supplies had raised discontent, and it was by no means certain that the nobles of the northern kingdom would expose themselves to further risk for the sake of establishing Presbyterianism in England. One of the foremost of their leaders, Rothes, had already been won over by the promise of preferment in England and of a rich English wife. He may probably be credited with sincerity when he alleged that he had first assured himself that the interests of his own country were secured,[1] but it is hardly likely that his new position was taken up on purely political considerations. The public negotiation, too, was drifting upon shoals which might prove dangerous.[2] The Scots had continued to urge a union in religion between the two countries,

May 17. Possibility of a breach between the Parliament and the Scots.

Rothes won by the Court.

Progress of the negotiation.

Queen in a conversation after she arrived in Holland in the following year.

[1] Rothes' *Narrative*, 225.

[2] The notes of the Scots' demands in Moore's Diary (*Harl. MSS.* ccccIxxviii. fol. 18) are said to be taken from those read by Sir J. Borough on April 22. The figures seem to have been subsequently changed, to judge from D'Ewes's notes of the debates on the subject. In other respects no alteration appears to have been made.

which would be certain to offend a large party in England, and the appointment of a commission to draw up a scheme for freedom of trade which would be certain to offend all Englishmen without distinction of party.

Debate on ecclesiastical union.

On the 17th the Commons went into committee on the demands of the Scots for unity of religion. The opponents of Episcopacy resorted to the ignominious tactics of placing Culpepper in the chair, in order to silence that vigorous debater in the warm discussion which they foresaw.[1] In spite of the objections of Hyde and Falkland, the Commons determined to return a courteous answer, 'that this House doth approve of the affection of their brethren in Scotland, in their desire of a conformity in Church government between the two nations, and doth give them thanks for it; and as they have already taken into consideration the reformation of Church government, so they will proceed therein in due time, as shall best conduce to the glory of God and the peace of the Church.'[2]

Courteous answer to the Scots.

Such a resolution bound the House to nothing, but it was enough to show that the majority was resolved not to be led into a quarrel with the Scots. The next day it was decided that the Commissioners should be asked to draw up an Act of oblivion. There was more difficulty in consenting to a proposal which had been made by the Scots, that war should never again be declared between the two kingdoms without the consent of the Parliaments. It was too great an innovation on existing practice to pass without resistance from Culpepper and others. In the end, however, it was referred back to the English Commissioners for further consideration.[3] A similar course was adopted with the article about freedom of trade, and on the 21st arrangements were made for the payment of the sums which would be due to the

May 18. Act of oblivion proposed.

May 19. Further votes on the Scottish treaty.

May 20.

May 21.

[1] D'Ewes protested against this. D'Ewes's Diary, *Harl. MSS.* clxiii. 190.

[2] *C. J.* ii. 148. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 192. Newsletter, *Sloane MSS.* mccccclxvii. fol. 38.

[3] *C. J.* ii. 150. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 202.

Scots. It was evident that if there was to be a rupture, it would not be provoked by the House of Commons.

During the course of these debates the mutual distrust between the two parties which had originally separated on the question of Episcopacy, had shown a tendency to increase. Hyde and Culpepper and Falkland had come forward as champions of the royal prerogative and as decided opponents of the Scottish alliance. Whether the breach was to be healed or not probably depended on the attitude which Pym and his immediate followers would assume towards the Root-and-Branch party, and that attitude depended partly on the amount of confidence which they would be able to feel in the King, partly in the reception which the Bishops' Exclusion Bill would meet with in the House of Lords.

Parties shaping themselves.

On the 21st that Bill went into committee in the Upper House. By the 27th the Peers had agreed to exclude clergymen, as a rule, from all civil functions. The bishops, however, were to be specially excepted, so far as related to their seats in Parliament. The general feeling against the employment of clergymen in temporal affairs which sprang from the natural reaction against the harsh treatment which, of late years, they had dealt out to laymen, was modified, amongst the Lords, by a strong inclination to resist any proposal proceeding from the Commons to change the constitution of the Upper House.

The Bishops' Exclusion Bill in the Lords.

May 27.

The vote of the Peers was a defiance to the majority in the House of Commons. Of that majority only a part—it is impossible to say how large—was in favour of the absolute abolition of Episcopacy. Circumstances, however, had recently occurred which brought to the Root-and-Branch party an accession of strength. It had been recently discovered that, in order to pay off the two armies, it would be necessary to have 400,000*l.* in addition to the subsidies which had been already voted. The higher clergy were regarded as instigators of the war which had unnecessarily entailed so great a charge on the nation, and voices had already been raised in favour of a confiscation which should lay the burden on those who had been in fault. Radically unjust as any

May 12. The Root-and-Branch party in the Commons.

attempt to apportion the blame due to the authors of national errors must always be, the proposal bore with it a show of justice which was likely to carry away those who were smarting under unwonted taxation. Strafford, in the presence of death, had singled out this source of danger, and he had warned his son to take no part in the race for the wealth of the Church. On the very day of his execution it appeared that he had good cause for alarm. Evidence was then heard on behalf of the preservation of deans and chapters. Dr. Burgess, who appeared on the other side, argued that the revenues which would be set free by the suppression of these offices might be applied, not to secular purposes, but to better uses in the service of the Church. When he had finished, several members assailed the suggestion which he had made. "They mean," said one, "to hold all the Church lands, and we shall have no more."[1]

Question of Church property raised.

It was not long before a precedent was given which did something to accustom the Commons to that chase after wealth which had been one of the worst features of the Star Chamber. On the 25th it was voted that all who had collected duties on merchandise without a parliamentary grant were delinquents, and on the following day it was resolved to offer these delinquents an Act of oblivion on payment of a fine of 150,000*l*. If the clergy could be dealt with in the same way, there would be little need to impose fresh taxation.

May 25. The Customers' fine.

May 26.

Yet, even if all who thought that the bishop's incomes would be well employed in saving the pockets of the tax-payers, had been counted with those who desired the overthrow of Episcopacy on conscientious grounds, the Root-and-Branch party were, as yet, no more than a minority in the House, and, as far as it is possible to judge, they were also a minority in the nation.[2] In the House

May 27. The Root-and-Branch party a minority.

[1] D'Ewes's Diary, *Harl. MSS.* fol. 170.

[2] Professor Masson argues that the number of Root-and-Branch men was greater than has been supposed, partly on the ground of an anti-episcopal petition from Cheshire, which purports to be signed by almost exactly two to one of an episcopalian petition from the same county. The almost

the defenders of Episcopacy were also a minority. The balance lay with Pym and his supporters, who were determined to place the King under constitutional restraint, and to establish a thoroughly Protestant worship in the Church, whether the Church were presided over by bishops or not. The feeling of these men was distinctly opposed to the conduct of the existing bishops. The bishops, in the biblical language of the day, had made themselves lords over God's heritage. In other words, they had dealt with the Church as the King had dealt with the State. They had administered it; they had not represented it. As Saye put it, in a speech which he had recently delivered, their secular offices 'might have gained them caps and courtesy, but they have cast them out of the consciences of men.' If, therefore, Pym and his friends felt a statesmanlike hesitation to change more than was absolutely necessary in the constitution of the Church, this feeling must always have been subordinated to the possibility of finding bishops who would leave politics alone, and who would content themselves with labouring in their own offices under the direction of the law. Whether such a prospect would ever be realised depended partly on the bishops themselves, but still more on the King. The vote to which the House of Lords had just come was one to bring out all the

Feeling of Pym and his supporters.

exact doubling of the signatures struck me as suspicious when I first compared the two petitions, and my suspicions have since been confirmed. Not only does Sir J. Aston, who got up the petition for Episcopacy, state that there was 'never any such petition seen in this shire' (*A Remonstrance against Presbytery*, 1641, E. 163); but a Puritan who answered Aston (*An Humble Remonstrance*, 1641, E. 178), and stated that some of the signatures to the episcopalian petition were forged, says distinctly that of the other petition he knows nothing. It was plainly a forgery. The appearance of a copy amongst the State Papers, with its crowded references at the edge, excites suspicion that it may have been the handiwork of 'marginal Prynne.' Any argument founded on the number of names subscribed to petitions is most unsatisfactory. All who were dissatisfied with the state of Church affairs would sign the Puritan petition of the county. Whether that petition asked for the abolition or modification of Episcopacy would depend on the temper of the local magnates, by whom the petition was drawn up.

difficulties in the way of any compromise. No doubt there is much to be said, as long as Parliament makes laws for the Church, for the admission to the Upper House of counsellors who are prepared to speak of its needs from their own knowledge. But it would be far too high a price to pay for that advantage to allow those counsellors to be chosen in such a way as to make them the mouthpieces of one political party, whilst their own advancement in life was to depend on the constancy with which their votes were given. "The bishops," said Saye, "have had too absolute dependency on the King to sit as free men." It was not only from the mouths of the enemies of the bishops that this assertion proceeded. In the course of the following year Jeremy Taylor said exactly the same thing. "The interest of the bishops," he wrote, "is conjunct with the prosperity of the King, besides the interest of their own security, by the obligation of secular advantages. For they who have their livelihood from the King, and are in expectance of their fortune from him, are more likely to pay a tribute of exacter duty than others whose fortunes are not in such immediate dependency on His Majesty. . . . It is but the common expectation of gratitude that a patron paramount shall be more assisted by his beneficiaries in cases of necessity, than by those who receive nothing from him but the common influences of government."[1] What wonder was it that the feeling that the King was not what he should have been, the representative head of the nation, showed itself in the determination that he should not have twenty-six votes at his disposal in the House of Lords? There were some, no doubt, who wished to thrust the bishops out because they thought that they would be better employed in attending on their clerical duties, but there were others who wished to thrust them out simply because they were the creatures of the King.

Effect of the vote of the Peers.

The day on which it was known that the Lords had resolved to retain the bishops in their House was propitious to the opponents of Episcopacy. That morning Vane and Cromwell

[1] Taylor, *Of the Sacred Order and Offices of Episcopacy*, Epistle dedicatory.

brought with them into the House a Bill which is said to have been drawn up by St. John, and the object of which was the absolute extinction of Episcopacy. They passed it on to Hazlerigg, and Hazlerigg passed it on to Sir Edward Dering. Dering was one of those who had pronounced most strongly against clerical abuses, though he had not wished to see Episcopacy itself abolished. He was a vain man, never tired of mentioning in his letters to his wife how he had been respected by the mob which had gathered at Westminster in the days of Strafford's trial, and how voices out of the crowd had been heard to say, "There goes Sir Edward Dering!" and "God bless your worship!"[1]

The Root-and-Branch Bill.

The assistance of men of the stamp of Dering was precisely what the stern Presbyterians wanted: and he was just then in a mood to do what they wished. In a short speech he moved the first reading of the Root-and-Branch Bill, not because he desired that it should pass, but because he thought that it would frighten the Peers into restoring to the Bishops' Exclusion Bill the clause which deprived the bishops of their seats in Parliament.[2] After a sharp debate, in which Falkland compared the Root-and-Branch Bill, for its thorough-going violence, to a total massacre of men, women, and children, it was read a second time by a majority of 135 to 108.[3]

Proposal by Dering

Its second reading.

On June 4 there was a conference on the earlier Bill. The Lords professed themselves ready to be enlightened if there were any sufficient argument for depriving the bishops of their seats.[4] The Commons dwelt mainly on the incompatibility of civil and clerical

June 4. The Bishops' Exclusion Bill discussed in conference,

[1] *Proceedings in Kent* (Camden Soc.), 46. In the preface (xxxviii) Mr. Bruce suggests that he was already under suspicion, and speaks of him as being asked at this time by a Root-and-Branch man, 'Art thou for us, or for our adversaries?' This, however, appears to have been said some weeks later.

[2] Moore's Diary (*Harl. MSS.* cccclxxvii. fol. 106) substantially bears out the report in Dering's published speeches.

[3] Moore's Diary, *Ibid.* News-letter, *Sloane MSS.* mcccclxvii. fol. 70.

[4] According to the letter of one of the Scottish Commissioners (*Wodrow*

functions, and on the probability that the bishops, if they were still allowed to have votes, would use them to support their own encroachments on the liberties of the subject. The Lords listened, but were unconvinced. On the 8th they threw out the Bill on the third reading.[1]

June 8. and thrown out by the Lords.

Differences of opinion might prevail on the subject of Church-government. There was no difference of opinion on the necessity of limiting the prerogative. On the morning of the 8th, Selden, who was a steady voter on the episcopal side, brought in three Bills—one for declaring the illegality of ship-money, a second for limiting the extent of the forests, and a third for abolishing the knighthood fines. In the afternoon of the same day Bills for the abolition of the Courts of Star Chamber and High Commission were read a third time without a division.[2] Both parties were unanimously resolved that Charles should hereafter reign under strict constitutional limits.

Bills to diminish the prerogative.

Charles's one path of safety was still the same as it had been in the days of Strafford's trial. Only by frankly accepting the constitutional limits imposed on him could he avail himself of the support which the Lords were anxious to give him on account of their divergence of opinion from the Commons on the question of Church government. Such, it can hardly be doubted, was the advice offered by Bristol in June, as it had been in April. Charles had one ear for Bristol, and another for the Queen. No combination was too fantastic, no scheme too audacious, to be acceptable to Henrietta Maria, and to gain at least temporary approval from her husband's weakness.

Charles's chances of success.

On June 2 the Queen had an interview with Rossetti. She bemoaned the impossibility of inducing Charles to change his religion. She could, however, state positively that if the Pope would send money—

June 2. The Queen's interview with Rossetti.

MSS. xxv. No. 162) this step was taken by the Lords 'of purpose, it was thought, to have stopped the Bill of Root-and-Branch.' If so, Dering was very near being justified by the event.

[1] *L. J.* iv. 239, 265.

[2] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 285. *C. J.* ii. 171.

150,000*l.* was the sum named—he would grant religious liberty in Ireland, and in England would for the present allow the Catholics to frequent the chapels of the Queen, and of the foreign ambassadors. When once he had again become the master of his people, the Catholics should have full religious liberty, with permission to open chapels of their own. Every religion except theirs and that of the English Church should be extirpated. The Queen further engaged to write a letter to Cardinal Barberini, in which these promises should be made, and this letter was to be countersigned by Charles.[1]

It would seem the height of madness to expect to make use of help from the Pope and from the Scottish Presbyterians at the same time. Yet more than this was behind. A negotiation was being carried on with the Irish Catholics in which they engaged, in return for liberty of worship, to give armed assistance to the King, though as yet the actual terms were not absolutely settled.[2] Nothing of all this was known at that time to the leaders of the Commons; but enough was known of Charles's recent proceedings to render them utterly distrustful.

Negotiation with the Irish Catholics.

On the day on which the new constitutional Bills were read, Fiennes produced the first report of the Secret Committee on the Army Plot. He told of the attempt to introduce Billingsley's men into the Tower, of the schemes for inciting the army against Parliament, of the fortification of Portsmouth, and of the suspicions of an intrigue with the French Government. Examinations were read which left no doubt that, whatever the King's personal action might have been, the plot for exciting the army to take part in political affairs originated at Whitehall.[3]

June 8. Report on the Army Plot.

Every word of this long report was a death-blow to the hopes of those who had thought to see Charles at the head of a reformed government, and to save Episcopacy through him. The feelings to which it gave rise found

Tumult in the House.

[1] Rossetti to Barberini, June $\frac{4}{14}$, *R. O. Transcripts.*

[2] *Idem*, $\frac{\text{Jan. } 23}{\text{Feb. } 2}$, 1642, *ibid.*

[3] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 290. Moore's Diary, *ibid.* cccclxxviii. fol. 34.

vent in a scene of wild confusion. The mention of Goring's oath of secrecy called up Wilmot. He did not know, he said, how Goring could without perjury have discovered that which he had sworn to keep secret. Digby replied that the oath was in itself unlawful, and did not bind Goring if he had been lawfully called on to reveal what he knew. Ever since Digby's unpopular vote on the Bill of Attainder he had had many enemies in the House. They perhaps understood him to imply that Goring had made his revelation without being called on lawfully. Digby had to explain his meaning and Wilmot to ask pardon of the House. Even this was not enough. Cries were raised calling on both to withdraw. Before the question could be put, Digby walked out. Some of the members dashed forward to stop him. Others did their best to rescue him from the assault.

Both Digby and Wilmot succeeded in reaching the door without injury. Their withdrawal was followed by a long and disorderly debate. In the midst of it the Serjeant-at-Arms brought in candles. A fresh dispute arose on the question whether candles might be brought in without the positive order of the House. Two of Digby's friends, anxious to prevent an adjournment, perhaps because they believed that the majority was on their side, snatched the candles from the Serjeant and set them on the floor. This was followed by a scuffle in which the Serjeant's cloak was torn from his back. The House at last broke up without coming to any conclusion. So great was the excitement that the imperturbable Lenthall confessed next morning that he had not expected to come away alive.[1] The two members who had seized the candles, were treated as scapegoats for the sins of the House, and were sent to the Tower for a few days.[2] Then followed the reading of a letter written by Henry Percy to his brother Northumberland, which contained

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 299.

[2] *Ibid.* clxiii. fol. 301. The majority for sending them was 189 to 172. The names of the tellers, as given by D'Ewes, show that the minority was of the Episcopalian party. The tellers, as is often the case, are reversed in the Journals. There is usually evidence forthcoming to show that D'Ewes is right and the Journals wrong.

fresh revelations of the Army Plot. Goring's character was at once cleared as far as a vote of the House could do it. Percy, however, in his letter, distinctly charged Goring with being implicated with Jermyn in a deeper plot than that in which he had himself been concerned.

June 9. Henry Percy's letter.

The next morning Marten moved that Digby should be sent for. Kirton told the House that such a motion had come too late: the King had raised Digby to the peerage. He had himself seen him putting on his robes to take his place in the other House.[1]

June 10. Digby made a peer.

If the feeling which had prompted Charles's act was natural, he had taken the worst possible way of giving it expression. Digby had not yet been condemned, and he was hardly likely to suffer worse consequences for his unguarded language than a few days' imprisonment. By making him a peer, Charles showed not merely that unpopularity in the House of Commons was the highest passport to his favour, but that he was ready to increase the number of those peers who would use their influence in the Upper House to place it in opposition to the Lower. An additional reason was given for keeping the organisation of the Church out of the hands of the King.

Inside the House of Commons the party which advocated a thorough change in the system of Church government was rather desirous of overthrowing an ecclesiastical despotism which they knew not how to remodel, than inspired with any strong preference for any other system to be established in its room. To a certain extent, no doubt, the majority might be regarded as Presbyterian; but, if so, their Presbyterianism was very different from the zealous devotion of Henderson and Dickson in the North. They wanted to have ministers who would preach decided Protestantism of the Calvinistic type, and after their experience of the last few years they thought that they were more likely to have what they wanted without bishops than with them; but they had no enthusiasm for the Scottish discipline.

How far was the House of Commons Presbyterian?

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 301.

If the minority were to contend against this widespread feeling it behoved them to act as well as to criticise. Williams, indeed, had been doing something. He had been gathering together opinions from divines of the most opposite views, and was understood to be elaborating a scheme in which all legitimate desires would find their fulfilment. Usher,[1] too, with the full weight of his piety and learning, had allowed his friends to circulate a draft of a constitution for the Church, in which bishops were to appear as the heads of councils of presbyters, and were to be disqualified from acting without their advice.

Plans of Williams and Usher.

Such a theme had an excellent appearance on paper. It was not quite so clear what would be its practical result, if bishops like Wren or Montague found themselves face to face with a council composed of ministers like Burgess and Marshall. The plan, for some reason or another, fell flat on the world. There was a good deal of talk about the advantages of Primitive Episcopacy, but there was no support given even in the House of Lords to any particular project for reducing it to practice. If the King had made any one of these plans his own, and had shown himself in earnest in combating the evils of the existing system, something might perhaps have been done. But Charles gave no sign that he took any interest in the matter. The Root-and-Branch Bill was the only scheme of reform practically in the field.

On June 11 that Bill was before a committee of the whole House. Hyde was placed in the chair, as it is said in order that his voice should thus be silenced on the Episcopalian side. If it was so, he did his best to pay back his opponents in their own coin. Somewhere about this time Charles sent for Hyde, greatly to his astonishment. Between the two men there was much in common. Both of them were attached to the

June 11. The Root-and-Branch Bill in committee.

Charles and Hyde.

[1] In the Rossetti Papers there is a running reference to a negotiation, in which Usher professes his readiness to become a Catholic if he could obtain an income equivalent to 500*l.* a year. I am utterly incredulous. The Padre Egidio, through whom it was conducted, was perhaps hoaxed, or deceived himself.

outward formulas of the constitution. Both of them had a high veneration for the worship and ceremonies of the Church. Neither of them had any of the larger qualities of statesmanship.

Conversation between them.

As soon as he saw Hyde Charles commended him for his faithfulness to the Church, and asked him whether he thought that the Bill would be carried in the Commons. Hyde replied that he thought it would not be carried speedily. "Nay," said the King, "if you will look to it that they do not carry it before I go to Scotland, when the armies will be disbanded, I will undertake for the Church after that time." "Why, then," said Hyde, "by the grace of God it will not be in much danger." Hyde subsequently boasted that he had done his best as Chairman of the Committee to throw obstacles in the way of the Bill.[1]

Debate in committee on the Root-and-Branch Bill.

If the Church was in danger it was from Charles's inability to discover the necessity of reform. The debates which ensued showed how few even of the opponents of the Root-and-Branch Bill were as yet ready to support him in his policy of mere resistance. Rudyerd and Dering talked loudly, if somewhat vaguely, about a restoration of Primitive Episcopacy. Culpepper, with more practical instinct, asked merely for a change of men instead of the abolition of the office. To the words of the preamble, which declared that 'the present government of the Church had been by long experience a hindrance to the full reformation of religion,' he moved as an amendment that 'the present governors of the Church had been by late experience a hindrance to religion.'[2] His proposal failed to obtain acceptance. The abolition of archbishops and bishops, deans and chapters, was voted. It was hardly possible at the time to excite any enthusiasm for Episcopacy in England. D'Ewes doubtless gave expression to an anxiety which was widely felt when he said that the liberties and estates of Englishmen were in danger as well as their religion. If there were those who would

June 12.

[1] Clarendon, *Life*, i. 93. His statement, that he waited on the King in consequence of a message through Percy, is one of his usual blunders. When Percy fled the Bill was not yet introduced.

[2] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 217.

entertain such a design as that of the Army Plot whilst Parliament was sitting, 'what was not to be feared when Parliament was dispersed!'[1] How, indeed, could the control of religious teaching be left in the hands of a man from amongst whose intimate counsellors the Army Plot had burst on the astonished world? The opponents of the Root-and-Branch Bill felt but little zeal in their own cause. The debates were long, and the body stood in need of refreshment. It was pleasanter, now that the summer days were come, to while away the hours in the tennis-court or the theatre than to listen to dry discussions about bishops and deans. "They who hated the bishops," laughed Falkland, "hated them worse than the devil; they who loved them did not love them so well as their dinner."[2]

Conversation between Hyde and Fiennes,

One day Hyde asked Fiennes in private what government he intended to substitute for Episcopacy. There would be time enough to settle that question, Fiennes answered. "If the King," he said, "resolved to defend the bishops, it would cost the kingdom much blood, and would be the occasion of as sharp a war as had ever been in England; for there was so great a number of good men who had resolved to lose their lives before they would ever submit to that government." At another time Hyde asked Marten, who was known to care little for religion, what he really wanted. "I do not think," was the reply, "one man wise enough to govern us all."[3]

and between Hyde and Marten.

Hyde was shocked by such words. He did not see that the only way in which Charles could answer them was by being wise enough to govern. Charles had thrown the reins on the neck of the steed, and was surprised to find that it was taking its own way. The committee found its deliberations perpetually interrupted, not, indeed by Hyde's intrigues, but by the necessity of listening to fresh disclosures on the subject of the Army Plot, and of making provision for the disbandment of the armies. Still, however, some progress was made. A proviso was introduced that, on the abolition of deans and chapters, none of their property should be

Progress with the Bill.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 309.

[2] *Clarendon*, iii. 241. [3] Clarendon, *Life*, i. 75.

diverted from ecclesiastical purposes. At last, on June 21, the important point of the government to be substituted for Episcopacy was reached. The younger Vane proposed a clause providing that Commissioners should be appointed for the present in each diocese to exercise ecclesiastical jurisdiction, and that these Commissioners should be appointed in equal numbers from the laity and the clergy.[1]

June 21. Proposed new government of the Church.

Here, then, was the Root-and-Branch scheme at last. It was referred to a sub-committee, to be put into shape.

If the feeling against Episcopacy gathered strength from the growing distrust felt in the King, it did not originate there. Outside the House the Puritan spirit was mounting, and the Puritan spirit assailed not so much the episcopal constitution of the Church as the forms of worship which the bishops protected. At the end of March five English divines, joining their initials[2] to form the uncouth name Smectymnuus, had issued a pamphlet in support of Presbyterianism in reply to Hall's 'Humble Remonstrance.'

Smectymnuus.

'Smectymnuus' was too professional to lift the controversy above the Calvinistic orthodoxy of the day. In the end of May, or the beginning of June, a new champion appeared on the scene. The singer of the *Comus* and the *Lycidas* felt that the time had now come when it behoved him to lay aside that task of high poesy for which he had been girding himself from his youth up, and to throw himself into the great controversy, on the issue of which, as he firmly believed, depended the future weal or woe of England. Much of the argument by which he supported Presbyterianism against Episcopacy is familiar to the student of the pamphlets and the speeches of that eventful year. But whilst

June (?) Milton's first pamphlet.

[1] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 337.

[2] Stephen Marshall, Edmund Calamy, Thomas Young, Matthew Newcomen, William Spurstow. Professor Masson (*Life of Milton*, ii. 219) is mistaken in quoting Cleveland's poem as evidence of the immediate popularity of the book. Cleveland speaks of the co'lection of the poll-tax, and his poem must therefore have been written some weeks after the date of the appearance of Smectymnuus.

others contented themselves with argument from Scripture or from Church history, or with the wearisome repetition of doctrines which appeared to them to contain the sum of all truth, Milton drove right into the very heart of the matter, and in that wonderful rhythmical prose on which the reader is upborne as on a strong and steady stream, strove to impress upon the world around the central doctrine of the *Comus*, that spiritual perfection is not to be reached through the operation of the bodily senses.

"Sad it is," he wrote, "how that doctrine of the Gospel, planted by teachers divinely inspired, and by them winnowed and sifted from the chaff of overdated ceremonies, and refined to such a spiritual height and temper of purity and knowledge of the Creator, that the body, with all the circumstances of time and place, were purified by the affections of the regenerate soul, and nothing left impure but sin ; faith needing not the weak and fallible office of the senses to be either the ushers or interpreters of heavenly mysteries, save where our Lord Himself in His sacraments ordained,—that such a doctrine should, through the grossness and blindness of her professors and the fraud of deceivable traditions, drag so downwards as to backslide one way into the Jewish beggary of old cast rudiments, and stumble forward another way into the newly-vomited paganism of sensual idolatry, attributing purity or impurity to things indifferent, that they might bring the inward acts of the spirit to the outward and customary eye-service of the body, as if they could make God earthly and fleshly because they could not make themselves heavenly and spiritual ; they began to draw down all the divine intercourse betwixt God and the soul ; yea, the very shape of God Himself, into an exterior and bodily form, urgently pretending a necessity and obligement of joining the body in a formal reverence and worship circumscribed ; they hallowed it, they fumed it, they sprinkled it, they bedecked it, not in robes of pure innocency, but of pure linen, with other deformed and fantastic dresses, in palls and mitres, gold and gewgaws fetched from Aaron's old wardrobe, or the flamen's vestry ; then was the priest set to con his motions and his postures, his liturgies and his lurries, till the soul by this means of over-

bodying herself, given up justly to fleshly delights, bated her wing apace downward, and finding the ease she had from her visible and sensuous colleague the body in performance of religious duties, her pinions now broken and flagging, shifted off from herself the labour of high-soaring any more, forgot her heavenly flight, and left the dull and droiling carcase to plod on in the old road and drudging trade of outward conformity."

In these words lay the central fire which warmed the hearts of all the nobler assailants of episcopacy and the Prayer Book. Their thought might be overlaid by political considerations or social jealousies, but at the bottom it was this that was meant by them all. To Laud's notion of a training of the spirit by the external habit they opposed the notion of the spirit loosing itself from bonds, contemptuously freeing itself from outward ceremonies or disciplinary institutions, and content to direct its course for itself in accordance with the will of its heavenly guide.

It needs not to be said how one-sided a view of human nature it was. Man cannot profitably shake himself thus loose from external helps. Laud's doctrine, too, had a truth of its own. Familiar institutions and habitual actions mould the life of a man far more than Milton would own. Milton's prose, like Milton's poetry, gave but the noblest expression to a one-sided tendency of the human mind. He declaimed against institutions because their importance was altogether unintelligible to him. With the struggle for representative government he felt sympathy only so far as it appeared to him to subserve the development of a vigorous spiritual and intellectual life. That which had alarmed the Cheshire petitioners had no terrors for him. "We cannot but express," they had said, in reply to the Presbyterians, "our just fears, that their desire is to introduce an absolute innovation of Presbyterian government, whereby we, who are now governed by the canon and civil laws, dispensed by twenty-six ordinaries —easily responsible to Parliament for any deviation from the rule of law—conceive we should become exposed to the mere arbitrary government of a numerous Presbytery who, together with their ruling elders, will arise to near forty thousand church

Language of the Cheshire Remonstrance.

governors, and with their adherents must needs bear so great a sway in the commonwealth that, if future inconvenience shall be found in that government, we humbly offer to consideration how these shall be reducible by parliaments, how consistent with a monarchy, and how dangerously conducible to an anarchy which we have just cause to pray against, as fearing the consequences would prove the utter loss of learning and laws, which must necessarily produce an extermination of nobility, gentry, and order, if not of religion."[1] The very Root-and-Branch men in the House of Commons were as sensible of the danger as the Cheshire petitioners. Milton had hardly the patience to seek for an answer to the objection 'whether a greater inconvenience would not grow from the corruption of any other discipline than from episcopacy.' "First," he tells us, "constitute what is right, and of itself it will discover and rectify that which swerves, and easily remedy the pretended fear of having a pope in every parish, unless we call the zealous and meek censure of the Church a popedom, which whoso does, let him advise how he can reject the pastorly rod and sheephook of Christ, and those cords of love, and not fear to fall under the iron sceptre of His anger that will dash him in pieces like a potsherd."[2]

Milton on Presbyterianism.

It is clear from such a paragraph as this that Milton's theories on government were no better suited to the actual England of the day than the Lady of the *Comus* would have been at home at the Court of Henrietta Maria, or the Archangel Raphael in the Long Parliament. Yet not for this are they to be condemned. Their permanent value lies in the persistence with which they point to the eternal truth, that all artificial constitutional arrangements, all remodelling of authority in Church or State, all reform in law and administration, will be worthless in the absence of the high purpose and the resolute will of the individual men who are to make use of political or ecclesiastical institutions. "Love Virtue, she alone is free." Let the mind be cultivated to understand which are the paths of virtue. Let

Value of Milton's pamphlets.

[1] *A Remonstrance against Presbytery*, E. 163.

[2] *Of Reformation touching Church Discipline.*

the spirit be attuned to the harmonies of heaven. The work to be done for the soul and intelligence of the individual Englishman was far greater than anything that parliaments and presbyteries could accomplish for the external regulation of the community.

Even in Milton's commendation of Presbytery there was something which made for liberty. His idea of Church discipline was merely one of meek and gentle admonition. In him the Independent was already visible beneath the Presbyterian. The teaching of the professed Separatists or Independents was already to be heard in London. Some of those who had been exiled to Holland had returned, and were once more preaching in London or elsewhere. Others were on their way from New England. It was not, however, the teaching of these men which caused alarm. They had their peculiar views about the constitution of the Church, but, in other respects, their doctrine was very like that of other Puritan divines of the day. That which gave offence was the more than Puritan arrogance with which they drew the line between their own sanctified congregations and the apostate churches which found room for the sinful and profane, as well as the rapid growth of unauthorised congregations in London, and the assumption by tradesmen and artificers of the office of the preacher. Naturally these men adopted the Independent or Separatist scheme, which did not set apart the ministry as a distinct office, and it was equally natural that ministers, whatever might be their opinions on the subject of Episcopacy, should join in denouncing the hatters and the felt-makers who fancied themselves capable of giving instruction without having received an education which would fit them for their work. Still greater offence was given when it was known that women sometimes took upon themselves to preach, and the words of St. Paul, "I suffer not a woman to teach," were quoted with great unction by many whose lives were not always regulated in conformity with other parts of the teaching of the Apostle.[1] A very general senti-

Milton's idea of liberty.

Lay preaching.

[1] A list of six women-preachers is given in *A Discovery of Sin*, E. 166.

ment was expressed in a doggerel verse which appeared some months later :—

> When women preach, and cobblers pray,
> The fiends in hell make holiday.[1]

This feeling found expression in the House of Commons. Holles complained of certain 'mechanical men' who had been preaching in London, 'as if, instead of suppressing Popery,' the House 'intended to bring in atheism and confusion.' The Speaker was directed to reprove them and to send them away with a warning to offend no more.[2]

June 7. Lay preachers reproved in the House of Commons.

The House could hardly do less. The idea of complete toleration to wise and unwise, educated and uneducated, was utterly unfamiliar to the members. Yet they hardly liked to intervene too harshly with men whose support was valuable to them. They had, too, so much on their hands, and such terrible obstacles in the way of accomplishing anything. Party feeling in the Commons was growing apace, and their uncertainty as to the King's intentions towards them, made their demands more trenchant than they would have been if they could have trusted that the laws which they made would be administered in the spirit in which they were conceived. On the 22nd, the day after the sketch of a new Church organisation had been introduced by Vane, Hazlerigg informed the House that a new plot had been discovered in Scotland. Was it safe, he asked, for his Majesty to be travelling to Scotland at such a time?[3]

June 22. News of a Scottish plot.

The soul of that plot was Montrose. Though jealousy of Argyle had, no doubt, its full weight in sending Montrose to the King's side, there can be little doubt that he was swayed in the main by higher considerations. He sought to find in the Crown a weight to counterbalance what he held to be a factious nobility resting on popular support. He had discovered, in the autumn, that there had been some talk of dethroning the King, and he knew that the Royal

Montrose's policy.

[1] *Lucifer's Lackey*, E. 180.
[2] D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 279.
[3] *Ibid.* clxiii. fol. 340.

authority had practically ceased to exist. There was now a proposal that judges and officers of state should be elected in Parliament; and it did not require much knowledge of Scottish society to be aware that such an arrangement would put the administration of the laws entirely in the hands of those of the great houses which were to be found on the popular side.

Montrose had been recently explaining his political principles in a letter to the King. Sovereign power, he said, must exist in every State. It might be placed, according to the circumstances of each country, in the hands of a democracy, an aristocracy, or a monarchy. In Scotland it must be entrusted to a monarchy. The nobles were incapable of postponing their private interests to the public good. The people were too easily led astray to offer a secure foundation for a stable government. Let the King, therefore, come in person to Scotland to preside over the coming Parliament. Let him freely grant to his subjects the exercise of their religion and their just liberties. Let him be ready to consult parliaments frequently, in order to learn the wants of the people, and win his subjects' hearts by ruling them with wisdom and moderation.[1]

It was excellent advice, but Charles was not very likely to take it. If he was bent on coming to Edinburgh, it was not because he was burning with impatience to understand the wants of his Scottish subjects, but because he hoped to avail himself of their assistance in his quarrel with his English subjects. Whether the Scots were qualified for self-government or not, they were shrewd enough to resist an attempt to flatter them into becoming a mere instrument of attack upon the English Parliament.

About the middle of May it was known that Montrose had been talking loosely of his knowledge that Argyle had formed a plan for deposing the King. Evidence was taken, and, on the 27th, he was summoned before the Committee of Estates. In the face of Argyle he boldly maintained his ground. He gave the authority on which his statement had been based—that of Lord Lindsay and

May 27. Montrose before the Committee of Estates.

[1] Napier, *Memorials of Montrose*, ii. 43.

John Stewart of Ladywell. Lindsay explained that what he had said had no more than a general significance. Stewart maintained the truth of the charge, and was thrown into prison.

Before further proceedings were taken, a certain Walter Stewart was captured on his way from London to Edinburgh. On him was found a paper, to be presented to the King by Lennox and Traquair, in which, under the jargon of feigned names, were concealed warnings to the King against Hamilton's influence. With these were mingled assurances that Charles would be well received in Scotland if he came prepared to grant to the people their religion and just liberties. The paper also purported to contain the King's reply to some further proposal made to him by Montrose, apparently to the effect that Argyle was to be charged with treason.

June 4. Capture of Walter Stewart.

It may be that, as Montrose averred, this paper was drawn up by Stewart, and not by himself. It may even be true that he had not given Stewart any positive instructions to suggest the accusation of Argyle to the King. But there can be little doubt that the scheme was one which he had entertained, and it is just possible that Stewart's paper may have been the jottings of a messenger anxious to keep in mind all the loose talk which had been spoken in his presence. Montrose's explanation, not very probable in itself, was not likely to be accepted by the Scottish leaders. Together with his brother-in-law, Lord Napier, Stirling of Keir, and Stewart of Blackhall, who were implicated with him as the joint contrivers of the intrigue, he was summoned before the Committee of Estates, and all four were committed to custody in the Castle. The resolution was no doubt prompted by the feeling that to come to a private understanding with the King was to separate from the national cause.[1]

June 11. Imprisonment of Montrose.

[1] The feeling of moderate men was expressed by Lothian. "I fear the King yet be engaged to further discontent if he come, for he will not find our Parliament so submissive and slavish as the last, nor will a pen to mark men's names hinder free voting and speaking. This work must go through or our rest must go upon it, and the parties inviting him will, in their undertakings, leave him in the mire, as others have done before." Later on the same writer says of Montrose: "In winter indeed, when the Band was

Charles felt the full bearing of these revelations upon himself. In the Privy Council he protested that if he had resolved to go to Scotland, it was 'not to make distractions, but to settle peace.' Traquair distinctly asserted that neither the King nor Lennox knew anything of the scheme for accusing Argyle.[1]

It is probable enough that the idea of attacking Argyle was more agreeable to Montrose than to Charles. What Charles wanted was not to establish his authority in Scotland, but so to pacify Scotland as to bring its influence to bear on England, or at least to prevent its influence being used against himself. Already during the first half of June the courtiers were looking eagerly for any sign of disagreement between the two Houses, which might follow on the rejection of the Bishops' Exclusion Bill.[2] Already, too, Charles had engaged in a second Army Plot. At the end of May or the beginning of June, Daniel O'Neill, an officer who had taken part in the first plot, had been sent down to sound Conyers and Astley as to the feasibility of bringing up the army to London if the neutrality of the Scots could be assured. A Captain Legg was entrusted by the King with a petition, to which he was to obtain signatures in the army. At the foot of

June 18. Charles attempts to clear himself.

Charles's object.

The second Army Plot.

Proposed petition.

burnt, I did what I could to quiet matters, and bring him off, and he thought I did him good offices. But now I took not so much pains, for his often relapses are not to be endured, and his practices will be found much to the prejudice of the public, and very malicious against particular men, who, to my knowledge, deserve it not at his hands."—Lothian to Ancrum, May 23, July 6, *Correspondence of the Earls of Ancrum and Lothian*, I. 121, 126.

[1] There are rough notes of this scene in Vane's hand which I found amongst the Irish State Papers. They have since been transferred to the Domestic series. The words assigned to the King are: "It is not to make distractions, but to settle peace, which is not to be done by any but myself. The Commissioners in [? of] Scotland have cleared him, and therefore he desires you to hear my Lord Traquair. A foolish business concerning Captain Wal. Stewart." The documents relating to this affair are printed in Napier's *Memorials of Montrose*.

[2] Giustinian to the Doge, June $\frac{18}{28}$, *Ven. Transcripts*.

it were written a few words to commend it to Astley's notice, to which the King's initials were appended by himself.[1]

The petitioners, after thanking the King for his many concessions to his people, complained of the turbulent and mutinous persons who were daily forging new and unreasonable demands; and who, whilst all men of reason, loyalty, and moderation were thinking how they might provide for his Majesty's 'honour and plenty,' were only aiming at the diminution of his 'just regalities.' They then asserted that 'these ill-affected persons were backed in their violence by the multitude, and power of raising tumults; that thousands flock at their call and beset the Parliament and Whitehall;' not only 'to the prejudice of that freedom which is necessary to great councils and judicatories, but possibly to some personal danger of your sacred Majesty and the Peers.' Due punishment ought to be inflicted on the ringleaders of those tumults. "For the suppression of which," such was the final conclusion of the petition, "in all humility we offer ourselves to wait upon you, if you please, hoping we shall appear as considerable in the way of defence to our gracious Sovereign, the Parliament, our religion, and the established laws of the kingdom, as what number soever shall audaciously presume to violate them; so shall we, by the wisdom of your Majesty and the Parliament, not only be vindicated from precedent innovations, but be secured from the future that are threatened, and likely to produce more dangerous effects than the former."[2]

The language of this petition reveals the view which Charles took of the situation. He would abide by the law, but there was no law to compel him to give the royal assent to Bills which he held to be injurious to his own rights and to the good of the nation. Once he had given way against his conscience to the dictation of a London mob. He would do so no more. He was in his right in asking the army to repel force by force and to overpower the violence of a turbulent populace.

Charles's view of the situation.

[1] The whole evidence of this affair is to be found in D'Ewes's Diary, under the date of Nov. 17, *Harl. MSS.* clxiv. fol. 157 b.

[2] *Clarendon*, iii. 170. As Hallam discovered, this petition is misplaced in date, so as to connect it with the former plot.

If only government were a mere affair of technical legality, it would be difficult to detect a flaw in this reasoning. Unhappily for Charles there are laws inherent in the constitution of human nature which are less easy to be defied than any which are to be found in the books of English lawyers. Puritanism was an existing fact, and Charles made no sign of any disposition to allow it any weight whatever. Government can never be conducted in the mere spirit of negation. Charles could object to the Church reforms proposed by the Commons. He had no solution of his own to offer, no plan for marking the difference between the Episcopacy of the future and the Episcopacy of the past.

Its weakness.

The second Army Plot, like the first, came to nothing. Conyers and Astley would hear nothing of it, and O'Neill, having been summoned before a committee of the Commons to give an account of his connection with the former plot, sought safety in flight. It seemed as if Charles would be willing to acknowledge his obligation to rule in agreement with his Parliament. On the 22nd the King gave his assent to a Tonnage and Poundage Bill, conveying those duties to him for a limited time—a time which was to expire as early as July 15. By this Bill Charles surrendered for ever his claim to levy customs duties of any kind without a Parliamentary grant. He intended, as he said when he passed the Bill, to 'put himself wholly upon the love and affection of his people for his subsistence.' As for the idle rumours which had reached his ears about an extraordinary way, he had 'never understood it otherwise than as having relation to the Scottish army, and preventing insurrection, which vanished as soon as they were born.'[1]

Failure of the plot.

June 22. The Tonnage and Poundage Bill.

What Charles in this ill-constructed sentence called preventing insurrection, Pym would call overawing Parliament. It is hazardous to suppose that Pym had no information on the second Army Plot because no such information was publicly disclosed till five months later. But, even if this were the case, the news from Scotland was

June 24. Pym's proposals

[1] *Rushworth*, iv. 297.

enough to put him on his guard. He saw clearly that unless harmony could be restored between the King and Parliament, inevitable confusion would be the result. On the 24th he carried up to the Lords ten propositions, asking that the armies might be disbanded as soon as money could be provided, that the King's journey might be delayed, and, above all, 'that His Majesty' might 'be humbly petitioned to remove such evil counsellors against whom there shall be just exceptions, and for the committing of his own business and the affairs of the kingdom to such counsellors and officers as the Parliament may have cause to confide in.' Other clauses touched on the removal of Catholics from Court, and from attendance on the Queen, on the expulsion of Rossetti, on placing the military and naval forces in safe hands, on the drawing up of a general pardon, and finally on the appointment of a joint committee of the two Houses to 'consider of such particular courses as shall be most effectual for the reducing of these propositions to effect for the public good.'[1]

Effect of these proposals.

These ten propositions were a master-stroke of policy. The counsel and co-operation of the Lords were invited on every point. If Charles had reckoned on a conflict between the Houses, the ground was now cut from beneath his feet. The propositions were accepted by the Commons without a dissentient voice. Those amongst them which related to the Catholics received the warm support of Culpepper. In the Lords, with one or two unimportant amendments, made with the object of sparing the Queen's feelings as much as possible, they were adopted without serious opposition. Once more Charles found himself isolated. Once more he had converted both Houses and both parties into opponents, when he had hoped to find supporters.

If Charles could have accepted the propositions it would have been well for England and for himself. The substitution of counsellors in whom Parliament could confide, for others in whom it had no confidence, would have led to the introduction of that Cabinet government which, after the interval of half a

[1] *L. J.* iv. 285.

century, closed the era of revolution in England. It would probably, too, by bringing the leaders of the Opposition under the responsibilities of office, have produced some compromise on the ecclesiastical difficulty which would have satisfied moderate men on both sides, and which would have lasted till opinion was ripe for a further movement in the direction of that universal religious toleration which was the only possible permanent solution for the difficulties of the time. It was, however, too much to expect that Charles would willingly consent to a change, however desirable, which would be a death-blow to that authority which he had inherited, and which he believed to have been entrusted to him by God and the law for the public welfare.

June 25. Partial concessions.

On some points even Charles could not but give way. On the 25th he consented to the proposed disbandment of the army, and to the immediate dismissal of Rossetti. The disbandment would be facilitated by a Bill which had been for some time under discussion for the substitution of a poll tax, falling with a graduated scale of payment upon men of different ranks of society, for the subsidies which were so easily evaded. A few days later the King was besought to defer his journey to Scotland till August 10. It was hoped that by that time both armies would be disbanded, and that he would no longer find any soldiers on his way on whom he could exercise his fascinations.[1] To this request no reply was given, but it seems to have been understood that Charles would not leave London for some time to come.

June 29.

Charles was indeed now prepared to make concessions, if only he could avoid any hindrance being thrown in the way of his journey to Scotland. It is indeed impossible to argue from any scheme which crossed Charles's mind, that he had sufficient fixity of purpose to form a settled determination to carry it out in action. At one time he may have flattered himself with the hope that yet one more concession would suffice to win back his people to their due allegiance, and to disgust them with the

[1] *L. J.* iv. 288–299.

traitorous intriguers who were leading them astray. But his more frequent attitude was undoubtedly that of a gambler who is ready to risk everything because he has assured himself that it may all be recovered by a happy stroke which will enable him to enjoy his own again.

Such was the temper in which he was when, on the day after he had consented to Rossetti's dismissal, the Italian came to Whitehall to take leave of the Queen. He found the King with her. After some general conversation, Charles begged him to thank the Pope and Cardinal Barberini for their compassionate sense of the present misery of his kingdoms. He was under the greatest obligation to them for the prompt offers of assistance which had been made to him for the advantage of the Catholic religion. He did not think that he had ever treated it with rigour, but he would promise that if he ever became master of his kingdoms, he would treat the priests and the Catholics in general with the utmost possible gentleness, and would give them every relief in accordance with the declarations recently made by the Queen. He went on to speak of the Catholic religion more, as Rossetti thought, like a Catholic than a heretic. After some further compliments he left the room. As soon as he was gone, the Queen said that she and her husband had been considering what security they could give to the Pope that their promises would be kept if he came to their aid; but that she did not see how she could do more than repeat the offers which she had made three or four weeks before. She then spoke freely of the course to be adopted. The King, she said, found the Parliament so irritated against him that he could do nothing at present without danger. He, therefore, wished to wait till the Houses had adjourned themselves, after which he would take measures for his own advantage.

June 26. Charles's interview with Rossetti.

The Queen's declaration.

Rossetti refused to take the letter which Henrietta Maria again proposed to write to Cardinal Barberini, as too dangerous to himself; but he again pressed upon her the subject of Charles's conversion. The Queen replied that the King was certainly not averse to the Catholic faith. He had lately paid much attention to her when she had told him about some

miracles wrought by a person whom it was proposed to canonise. Yet he was so timid, so slow, so irresolute in action, that it would be long before he could bring himself to carry out such a holy resolution. Speaking further of a fresh demand which Parliament was likely to make, the Queen encouraged Rossetti by informing him that, according to the law of England, whatever was granted by a king under compulsion was null and void.[1] On the 28th Rossetti set out for the Continent. He took up his quarters first at Ghent, and afterwards at Cologne, where he continued for some time to correspond with the Queen.

June 28. Rossetti leaves England.

It is hard to understand how anyone not absolutely insane could have believed for a moment in the stability of such a cloud-castle as a combination between the Pope and the Scottish Presbyterians. Perhaps Charles did not quite believe in it himself. There may have been something not altogether unreal in his efforts, from time to time, to content his subjects. If they would but gratefully accept reforms as coming entirely from his hands, and contentedly look to him alone for future favours, he would doubtless have been far better satisfied than in setting forth in quest of adventures which were more to his wife's taste than to his own; but there was nothing in that strangely constituted mind of his to prevent him from entertaining incompatible projects at the same time.

It was not long before his readiness to yield was again put to the test. On July 3 he gave his assent to the Poll Tax Bill. With respect to two Bills, for the abolition of the Courts of Star Chamber and High Commission, he announced that he must take time for consideration. On the 5th the required assent was given to both Bills. The Council of the North, which rested on no positive statute, had already been voted down. The Council of Wales had vanished with it. The circle of constitutional change was now complete. The extraordinary courts which had been the support of the Tudor monarchy had disappeared. Whatever powers the King possessed must be

July 5. Abolition of the Star Chamber, the High Commission, and Councils of the North and of Wales.

[1] Rossetti to Barberini, July $\frac{9}{19}$, *R. O. Transcripts.*

exercised in accordance with the decisions of the common law judges. If that were not enough the Commons had the power to bring the King to terms by stopping the supplies—unless, indeed, he chose to fall back on violent methods unknown to the law.

It was precisely this last possibility which made all that had been granted worthless. There were those in the days of Charles who treated the danger as of little moment. Readers of Rossetti's despatches now are hardly likely to be so easily satisfied.

Charles, indeed, made one effort to win over public opinion to his side. He issued a manifesto in favour of the Elector Palatine, and he asked Parliament to supply him with the means to enable the young man to win back his father's inheritance. The Houses listened gravely and gave a decorous answer; but the hearts of the members were no longer in the Palatinate. They had the dread of that ill-starred visit to Scotland before their eyes. A Continuance Bill significantly fixed the expiry of a renewed grant of tonnage and poundage on August 10, the date on which Charles now proposed to set out for Edinburgh.[1] The Houses begged for a reply to their demand for the removal of evil counsellors. The next day Charles flashed into anger. He bade the Earl of Bath inform Parliament that 'his Majesty knows of no ill counsellors, the which he thinks should both satisfy and be believed, he having granted all hitherto demanded by Parliament; nor doth he expect that any should be so malicious as, by slanders or any other ways, to deter any that he trusts in public affairs from giving him free counsel, especially since freedom of speech is always demanded and never refused to parliaments.'[2]

The King's manifesto about the Palatinate.

July 9.

July 12.

July 13. Charles declares that he knows of no ill counsellors.

In vain Charles's advisers warned him against the wild adventure of his northern journey. Hamilton, as far as can be now discovered, was busy at his usual work of intrigue. He had won over Rothes, and Rothes was employed to win over Argyle. The argument to be

His determination to visit Scotland.

[1] *C. J.* ii. 205. [2] *L. J.* iv. 310.

used appears to have been that if the King were stripped by the English Parliament of his right of appointing to offices, he would have nothing left to give to his faithful Scots.[1]

If Charles was to seek for support in the North, the Queen would hardly like to remain near London as a hostage to Parliament in his absence. Once more there was a talk about her ill-health, which made it necessary for her to repair to the curative waters of Spa. She might take the opportunity of escorting her daughter to her bridegroom. The excuse was too transparent to deceive anyone, and it was rumoured that she meant to carry with her the Crown jewels and plate, so as to be enabled to live at her ease in the company of Jermyn and Montague. It was more likely that her heart was set on gathering a military force in aid of her husband. She assured the Venetian ambassador, who reported to her the rumours that were abroad to her discredit, that all that she wanted was to live at peace. "I am ready," she said, "to obey the King, but not to obey 400 of his subjects."

July 14. The Queen's proposed journey to Spa.

The Queen had the new French ambassador, the Marquis of La Ferté Imbault, to consult, now that Rossetti was at last gone. He did his best to dissuade her from her project. The House had already taken the precaution to consult her physician, Mayerne, who told them that the Queen's illness proceeded from some 'inward discontent of mind.' They could not be persuaded that, in order to remove that discontent, it was necessary for her to take with her so large a store of plate and jewels, which would 'not only impoverish the State, but might be employed to the promoting of some mischievous attempts to the disturbance of the public peace.' To a Parliamentary deputation she answered that nothing but her ill-health had made her resolve on the journey. The Commons sent privately to the guardian of her jewels to be ready to give an account of them, and intimated that still

The new French ambassador.

July 15. Remonstrance of the Houses.

July 17.

[1] Rothes to Johnston, June 25, *Rothes' Relation*, 225. Giustinian to the Doge, July $\frac{16}{26}$, *Ven. Transcripts, R. O.*

stronger measures would be adopted if the Queen persisted in her resolution. Upon this she gave way and replied that she was ready to remain in England, even at the hazard of her life.[1]

July 21.

In the meanwhile the Commons had not been idle. They had impeached one of the judges of treason, and five others of misdemeanour for their part in the judgment on ship-money. They had resolved that the proceedings against the imprisoned members of the Parliament which had been dissolved in 1629 were entirely illegal, and that reparation ought to be made by the Privy Councillors by whose warrant they had been committed. Then had come articles of impeachment against Wren for his harsh dealing with the Puritans, as Bishop of Norwich, and for his adoption of ceremonial practices which had aroused even greater opposition than those which had been advocated by Laud. Digby's speech on the Bill of Attainder, having been sent to the press, was warmly censured; and, it being understood that the King intended to send him as ambassador to France, the Lords were asked to petition that no employment under the Crown might be conferred upon him.

Activity of the Commons.

At the same time the Root-and-Branch Bill was being pushed steadily through committee. Vane's proposed frame of Church government was materially altered. So determined were the Commons at this time not to admit the clergy to power, that they rejected Vane's plan for placing ecclesiastical jurisdiction in the hands of Diocesan Boards, half of the members of which were to be clergymen, and substituted for it a scheme by which nine lay commissioners, to be named in the Bill, were to exercise all ecclesiastical jurisdiction in England in person or by deputy. Objections were raised to the competency of lay commissioners; but Selden, who usually supported the bishops, now argued strongly in favour of the new project, which would at least have the merit in his eyes of

Progress of the Root-and-Branch Bill.

July 12. Lay Commissioners to exercise ecclesiastical jurisdiction.

[1] *L. J.* iv. 307, 321. Giustinian to the Doge, $\frac{\text{July } 23}{\text{Aug. } 2}$, *Ven. Transcripts, R. O.*

taking authority from the hands of the clergy, and Selden carried the committee with him. A few days later it was arranged that five ministers in each county should be charged with the functions of ordination.[1] In throwing off Episcopacy the House of Commons made up its mind not to establish Presbyterianism.[2]

July 17. Five ministers in each county to ordain.

However much opinion may have been divided on this Bill, in all other respects absolute unanimity appears to have prevailed. On the 23rd it was resolved to take up the Remonstrance, which had frequently been talked of ever since the beginning of the session, in order that it might be known what had been the condition of the kingdom and Church at the time when Parliament met, and what had been the proceedings of the House in remedying the existing disorders.

July 23. A Remonstrance proposed.

This proposal, too, came to nothing for the present. Just at this time rumours were spread that the King was about to comply with the wishes of Parliament in the appointment of officers. It was said that the Secretaryship of State, which had been held by Windebank, was to

Rumoured appointment of officers.

[1] The number of the divines is given as twelve in a contemporary letter, but D'Ewes's number of five is no doubt right. "They have voted another clause in the Bishops' Bill, that all processes that shall issue forth after the first of August next for ecclesiastical affairs shall be directed to the nine Commissioners, and that after that time any five or more of them shall have full power to try ecclesiastical causes, to call annual synods, and to appoint twelve divines in each county for to order ministers at four times in the year."—Appleton to J. Appleton, July 23, *Tanner MSS.* lxvi. fol. 100. The nine commissioners, according to Moore (*Harl. MSS.* ccccl xxix. fol. 60), were named on the 14th. They were Sir Gilbert Houghton, Ralph Ashton, Roger Kirkby, Richard Shuttleworth, John Moore, Alexander Rigby, *John Atherton*, *Robert Holt*, *Sir Edward Wrightington* [?]. The persons whose names are in italics were not members of Parliament.

[2] Moore's Diary, July 12, *Harl. MSS.* ccccl xxix. fol. 53 b. D'Ewes's Diary, July 17, *ibid.* clxiii. fol. 406. Whitelocke's story that the committee accepted Usher's scheme of limited Episcopacy cannot be true. We have, however, this scheme published in a contemporary pamphlet, the *Order and Form of Church Government*, as that resolved on by the Commons. I have no doubt that this is an example of the many imaginary Parliamentary reports which were printed to sell.

be given to Mandeville, to Holles, or to Hampden.[1] One place—of no political importance, it is true—was actually disposed of. Pembroke had come to blows with Arundel's son in the House of Lords, and the Queen, who thoroughly disliked him, persuaded Charles to take from him the Chamberlain's staff and to give it to Essex. Court favour, it was hoped, would bring Essex back to his duty; and, at the least, there would be bad blood between two of the Opposition Lords. Essex unwillingly accepted the place, but his political conduct remained unchanged.[2]

Essex, Lord Chamberlain.

The policy of entering upon a good understanding with men like Essex and Mandeville was strongly enforced by Williams, who was not likely to listen to any scheme for the substitution of force for skill.[3] He reckoned on the House of Lords to counterbalance the strong Puritan feeling of the Commons. But it was not easy to induce the Lords to assent to any work of constructive legislation. Williams's own scheme of Church reform had not attracted much support. It had been embodied in a Bill, which had been read twice, and in committee had been allowed to sleep.[4] Yet, if no serious efforts at legislation were made, the nation would never rally round the Lords. The scheme of the Commons might be open to various objections, but, at least, it proposed that something should be done. The King and the Peers showed no sign of wishing to do anything.

Advice of Williams.

It is not possible to penetrate quite to the bottom of the King's designs in insisting on his visit to Scotland; but there can be no doubt that he intended to make concession in the North serve his interests in the South.[5]

Loudoun in Scotland.

[1] Nicholas to Pennington, July 15. Bere to Pennington, July 29, *S. P. Dom.*

[2] Appleton to Appleton, July 23, *Tanner MSS.* lxvi. 110. Giustinian to the Doge, $\frac{\text{July 30}}{\text{Aug. 9}}$, *Ven. Transcripts.* The Elector Palatine to the Queen of Bohemia, July 28, Aug. 17, *Forster MSS.*

[3] *Hacket*, ii. 163. [4] *L. J.* iv. 296, 298, 308.

[5] As the Queen put it in her conversation with Greçy in the spring of 1642, 'le Roi mon mari fait dessein d'aller en Ecosse pour voir si dans le cœur des sujets de ce royaume il y trouveroit chose avantageuse au

At the end of June Loudoun had gone down to Edinburgh, ostensibly to obtain further instructions for the Scottish Commissioners in London. He was also charged with a secret mission from the King, and there is reason to believe that he was to offer certain terms in consideration of the exemption from punishment of Traquair and the other incendiaries.[1] It is also not improbable, though no evidence exists one way or the other, that he was to ask for the surrender of that letter which might show that the Parliamentary leaders had invited the Scots to invade England in the preceding summer. With this proof of treason in his hands Charles might hope to bring his chief opponents within the meshes of the law. Yet it seems hardly possible to doubt that his hopes from Scotland went far higher than this. At the end of June the Queen had assured Rossetti that the King intended to take measures for his own advantage as soon as Parliament had adjourned itself.[2] Before the end of July the Venetian ambassador informed his Government that the Queen intended to remove a hundred miles from London when the King went north, in order not to be exposed 'to those dangers which will be inevitable when the King resolves to return to this realm, accompanied by the Scottish army and by the English troops at York.'[3]

Charles's plans.

June 26.

July 30.

Such, at least, may be taken to represent the ideas which were in the Queen's mind. It would seem that the Scottish

bien de ses affaires.'—Greçy's Memoir, *Arch. des Aff. Étr.* xlix. fol. 124. On $\frac{\text{July } 24}{\text{Aug. } 3}$ Rossetti, who derived his information from persons about the Queen, wrote thus; "Per la giornata di S. Mtà in Iscotia continuano le voci, e gl' apparechij, con soggiungersi, che l'esercito scozzese non si voglia sbandare, mostrandosi desideroso di voler restituire il Rè in autorità. Alla metà del venturo mi si è destinata la mossa, et a quel tempo si darà principio alla sessione del Parlamento di quel Regno, e confida il Rè di cavare proffitti di conseguenze a sollievo delle fortune sue destitute se gl' effetti siano per corrispondere alle speranze."—*R. O. Transcripts.*

[1] Rothes to Johnston, June 25, *Rothes' Relation*, 225.

[2] See page 403.

[3] Giustinian to the Doge $\frac{\text{July } 30}{\text{Aug. } 9}$, *Ven. Transcripts.*

Commissioners were at this time drawing near to Charles The English Parliament had shown itself unwilling to discuss that commercial union which was so important to the poorer nation, and it is possible that this may have had some influence with them.

The Scottish Commissioners

Yet, even if the Scottish Commissioners were drawing to his side, Charles must have known by this time how complete was the submission which he would have to make in Scotland. Stewart of Ladywell, whose evidence had been adduced by Montrose as bearing out his charge against Argyle, retracted his accusation under the influence of fear. Argyle, he said, had not talked of deposing King Charles, but only of deposing kings in general. His retractation profited him little. He was condemned to death for leasing-making—the crime of sowing disaffection by false reports between the King and his subjects. The sentence was carried out, and the death of the unfortunate man served as a warning that, for all practical purposes, Argyle was king in Scotland.[1]

Execution of Stewart of Ladywell.

In England, too, the King was no longer master of his mercy. The persecution of the Catholics had again begun. The first victim was an old man of seventy-six, William Ward, who had in his youth been one of Allen's pupils at the seminary at Rheims. To those who offered to seek the Queen's intercession he replied that he was ready to die. Thirteen years before he had been with a comrade who had been executed at Lancaster, and his dying friend had then predicted that he, too, would glorify God in his death. At Tyburn he spoke bravely of his faith. Not even the King or the Peers, he said, could be saved without the Roman faith. At this the people, who had hitherto listened sympathetically, drowned his voice with their outcries. The hangman allowed the old man to die on the gallows before the bloody work of quartering began. An enthusiastic French lackey dashed at the fire in which the martyr's heart was being consumed, and, snatching it from the flames, rushed with it through the streets, followed by a crowd of pursuers, till

July 26. Execution of a priest.

[1] Napier, *Memorials of Montrose*, i. 296.

he could hold out no longer. The relic he prized was brought back and thrown into the flames. The Spanish and Portuguese ambassadors were present at the execution, and the latter brought with him an artist to sketch the lineaments of the dying man, that the Catholic world might know that there were heroes still on the earth.[1]

The Catholics feared as a political party.

Henrietta Maria knew nothing of this miserable slaughter till it was past. When she was informed she said that if she had been told of it she would have pleaded for Ward as she had pleaded for Goodman. The risk to herself was no greater now than it had been then. It was not to be expected that she should have discerned that her own intervention on behalf of the suffering Catholics was in truth their greatest danger. It was only recently that the Commons had had before them evidence on the Catholic contribution of 1639; and the knowledge thus acquired, impressing them, as it did, with the belief that the Catholics had been acting as a political party, must have hardened hearts which were hardened enough already to the dictates of pity. They were too much afraid to be merciful.

July 28. Essex to command in the South.

At the end of July, Charles, waiting still for the message which Loudoun was to bring from Edinburgh, appeared to be in a yielding temper. Possibly he merely wished to keep his adversaries in good humour till he was able to act against them. Possibly his shifting mood dwelt for a time on the hope that personal gratifications might win over men whose conscientious opposition he entirely failed to understand.[2] On the 28th, when Charles announced that he

[1] Rossetti to Barberini, $\frac{\text{July 30}}{\text{Aug. 9}}$. Narrative of Ward's execution, *R. O. Transcripts.*

[2] "The change of the Lord Chamberlain was a thing my Lord of Essex did not at all sue for, and would not have accepted it, but that he saw the King was resolved the other should not keep it, and that if he had refused that also, after so many other things which were put upon him, the world might have thought that the high hand he carried in Parliament was not so much for to maintain the liberties of the subjects as out of spleen to the Court."—The Elector Palatine to the Queen of Bohemia, July 28, *Forster MSS.* Evidently the notion that he had acted

had resolved to leave for Scotland on the 9th, he coupled his announcement with an intimation that any forces which might be needed on the south of the Trent should be placed under the command of Essex.[1] In well-informed quarters it was believed that a general elevation of Parliamentary leaders to office was really impending. This time Saye was to be Treasurer, Hampden to be Chancellor of the Duchy of Lancaster, Pym to be Chancellor of the Exchequer, and Brooke was to have a seat in the Privy Council.[2]

July 29. Rumours of official changes.

If these changes were seriously contemplated the idea was soon abandoned. A Bill had been sent up to the Lords for imposing the obligation of signing the Protestation upon all Englishmen,[3] which, as Protestants of every shade had agreed to accept it, would serve as a new test for the discovery of Catholics. Those who refused the Protestation were to be held to be recusant convicts without further process. They were to be incapable of holding office. The Peers who objected to sign were to be excluded from their seats in the House of Lords.[4] On the 29th this Bill was rejected by the Lords. The next day the Commons ordered the impeachment of thirteen bishops who had taken part in the imposition of the new canons, and they voted that all who refused the Protestation were unfit to bear office in Church and commonwealth. They further ordered this last vote to be printed and sent down by the members to their respective constituencies.[5] The Peers

Bill for the security of religion thrown out.

Disagreement between the Houses.

August 2.

through spleen to the Court was one which he had found brought against him.

[1] *L. J.* iv. 331.

[2] Nicholas to Pennington, July 29, *S. P. Dom.*

[3] *Diurnal Occurrences*, 317.

[4] Rossetti to Barberini, Aug. $\frac{14}{24}$, *R. O. Transcripts.*

[5] Moore's Diary, *Harl. MSS.* cccclxxix. fol. 114 b. D'Ewes was absent during these days, on account of his wife's death from small-pox. There is a touching cyphered entry on the 3rd: "Heu! heu! post dulcissimæ conjugis obitum, heu inexpectatum, ego plurimis diebus absens eram a Comitiis, et heri cum hic eram quasi stupidus sedi. Hodie virilem assumens animum et Deo me subjiciens publica non neglexi."—*Harl. MSS.* clxiii. fol. 418.

took umbrage at this proceeding. They asked the Commons whether the paper in circulation was in reality theirs, and whether it had been printed by their orders. In the Lower House the questions thus put roused a spirit of resistance. Culpepper took the lead in complaint. The House avowed its vote. They wished, they said, that their vote should be 'a shibboleth to discover a true Israelite.'[1] The majority of the peers were of opinion that the circulation of the paper was a breach of their privileges, and of the rights of the subject to have no qualification for office imposed otherwise than by the law of the land. So far had the Lords gone when a secret intimation from the King warned them to desist, 'until his return from Scotland.' Can it be doubted that he hoped by that time to have force on his side?[2] For the sake of this the opportunity of supporting himself upon the House of Lords in a good cause was deliberately thrown away, as it had been thrown away in the days of Strafford's trial.

August 3.

August 4.

Charles had now made up his mind to take his own course. Nothing more was heard of ministerial changes. On August 3 Loudoun returned from Scotland. The Houses were by this time at issue on other points besides the obligatory signature of the Protestation. On the 4th the impeachment of the bishops was formally laid before the peers. There was by this time a division of opinion as to the best manner of supplying the King's place in his absence. The Commons would have had a Lieutenant of the Kingdom appointed, with power to pass bills. The Lords, who were afraid lest the Root-and-Branch Bill should be urged upon them if there were any chance of its passing into law, wished to have Commissioners appointed who would merely be empowered to pass a few bills specially named. Both Houses were in accord in striving to avert the King's departure so long as the two armies were in the field.[3] On Saturday, August 7, the last

Aug. 3. Loudoun's return.

Aug. 4. Impeachment of thirteen bishops.

Aug. 7. The King again asked to stay.

[1] *L. J.* iv. 337, 338.

[2] Dover's Notes in the House of Lords, *Clarendon MSS.* 1603.

[3] The French ambassador thought that the King still relied on Mon-

opportunity of protesting appeared to have arrived, as he was to start on Monday. On Falkland's motion he was asked to defer his journey.[1]

On that day the King gave his consent to two Bills of no slight importance. One of them annulled the proceedings relating to ship-money. The other limited the boundaries of the forests. At the same time Charles announced that his resolution to proceed to Scotland was irrevocable. He had, he said, received information by Loudoun which made further delay impossible. What that information was he did not say. It stood out before the imagination of his hearers, as implying a new and terrible danger. Till ten at night the Commons prolonged their sitting, fruitlessly discussing measures to avert so great a peril. It is said that words were spoken—it is hardly likely that they were uttered in open debate—declaring that the King had forfeited the crown.[2] In the end, it was resolved to sit again on the following morning, Sunday though it was. No stronger evidence need be sought of the overpowering sense of danger which had taken possession of the Commons. There were early prayers at St. Margaret's, followed by a sermon from Calamy.[3] A fresh appeal was made to the King, and a message was sent to the Scottish Commissioners begging them to approve of the proposed delay. Charles sent another message begging the Commissioners to disapprove of it. Their reply to him was all that he could wish. They were ready, they said, to risk their lives to restore him to his authority. So far had they been brought by their jealousy

The Ship-money Bill and the Forest Bill.

The King insists on his journey.

Excitement in the Commons.

Aug. 8. A Sunday sitting.

trose. He was not aware of his dealings with the other party through Rothes and Loudoun. "On croit qu'il y aura un tiers parti en Ecosse, et que les Catholiques et ceux qui ne sont pas armez s'ennuyent du pouvoir de ceux qui gouvernent, c'est ce qui donne envie au Roi d'y aller. Le Parlement le connaît bien et n'y consentira point."—La Ferté's despatch, Aug. $\frac{5}{15}$, *Arch. des Aff. Étr.* xlviii. fol. 346.

[1] D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 2 b.

[2] Giustinian to the Doge, Aug. $\frac{13}{23}$, *Ven. Transcripts.*

[3] *Diurnal Occurrences*, 333.

of the interference of the English Parliament with Charles's design of visiting his native kingdom.[1]

Charles consents to one day's delay.

The King, therefore, stood firm, and he was no doubt provoked to resistance by the cries of a crowd of apprentices who had flocked to Westminster as in the days of Strafford's trial.[2] He would put off his journey till Tuesday, but he would put it off no longer. At the same time he showed, in the most pointed way, that the goodwill of the Commons was no path to his favour. Bristol was admitted as a Gentleman of the Bedchamber. In spite of the objection of the Commons, Bristol's son Digby was named Ambassador to France. Three noblemen were admitted to seats at the Council Board on Bristol's recommendation. Lennox too, who was on the most friendly terms with him, was created Duke of Richmond, and Savile had the promise of Vane's place as Comptroller of the Household as soon as the King returned. At another time these promotions would perhaps have been favourably received, at least in the House of Lords, and it is certain that Bristol can

Promotion of Bristol and his partisans.

[1] "Questi ringratiando sua Maestà della confidenza, le rimandorno che non si lasciarebbono guadagnare, farebbono apparire la loro fede, et la rissolutione di perdere la vita per rimmettere il suo Principe nella prima autorità.'—Giustinian to the Doge, Aug. $\frac{13}{23}$, *Ven. Transcripts.*

[2] *Ibid.* La Ferté's despatch, Aug. $\frac{12}{22}$, *Arch. des Aff. Étr.* xlviii. fol. 350. The Queen's feelings are depicted in the following extract from a letter written by her to her sister, the Duchess of Savoy, on this day:—"Je vous jure que je suis presque folle du soudain changement de ma fortune, car du plus hault degré de contantement je suis tombée des (dans les) malheurs inimaginables en toutes espesses; n'estant pas seullement en mon particulier, mais en celuy des autres. Les soufrances des pauvres Catoliques et des autres qui sont serviteurs du Roy monseigneur m'est plus sensible que quoy qui me put ariver en mon particulier. Imagine, quelle est ma condition de voir le pouvoir osté au Roy, les catoliques persécutés, les prestres pandus, les personnes affectionné à nostre service el'loaygnés de nous et poursuivis de leur vie pour avoir taché a servir le Roy, et moy retenue ysy comme prisonnière, que mesme l'on ne me veut pas permestre de suivre le Roy qui s'en va en Escosse, et personne au monde à qui pouvoir dire mes afflictions, et savoir avec tout cela ne pas témoigner en avoir du resantiment."—*Lettres de Henriette-Marie à sa sœur*, publiées par Hermann Ferrero.

have been no advocate of any appeal to violence. But with the dread of the Scottish journey before them, even the Lords were anxious to keep the balance of promotion even, and they joined the Commons in asking the King to make Pembroke Lord High Steward, and Salisbury Lord High Treasurer. Neither Pembroke nor Salisbury were likely to make their mark in official life; but if they had had the capacity of Burghley or Strafford, Charles, in the temper in which he was, would have refused to listen to their claims.[1] On Tuesday morning, he appeared for the last time in Parliament before his departure. He passed a Bill for confirming the treaty with the Scots, which had at last been completed, and for securing to them the future payment of 220,000*l.* which would still remain owing to them out of the Brotherly Assistance after they had crossed the Tweed. By another Bill the levy of fines for knighthood was rendered illegal.

Aug. 9. Petition for the promotion of Pembroke and Salisbury.

Aug. 10. The Scottish Treaty finished.

The knighthood fines.

Charles was now proof against all further entreaties. He would make anyone repent, he said, who laid hands on his horse's reins to stop him. He told the crowd in Palace Yard which besought him to remain, that they might console themselves for his absence. His Scottish subjects needed him as much as Englishmen did. It was hard to persuade anyone that he was merely anxious to distribute his favours equally in the two kingdoms. At that very moment, the Scottish Commissioners were boasting that their nation 'would do all in its power to place the King in his authority again. When he appeared in Scotland, all political differences would be at an end, and they would serve their natural Prince as one man in such a cause.'[2]

Charles sets out for Scotland.

It is in the highest degree improbable that no rumour of this understanding with the Scottish Commissioners reached the ears of Pym. It was no mere shadowy danger—the exhalation of

[1] *L. J.* iv. 352. Frith to Pennington, Aug. 10, *S. P. Dom.*

[2] Giustinian to the Doge, Aug. $\frac{13}{23}$, *Ven. Transcripts.* On Nov. $\frac{6}{16}$, Rossetti wrote that Charles 'ha sempre confidato di potere fare assai mediante la fattione scozzese, amandola per essere di là nativo.'

the dead Army Plot—which stirred the hearts of the Commons. They saw in the King's departure for Scotland the first act of the drama which, though they knew it not, was to end twelve months later in the raising of the standard at Nottingham. The ground which they had gained seemed to be shaking beneath their feet. The armed intervention of rude and illiterate peasants, trained to the discipline of camps and led by needy adventurers, would thrust aside the rule of men of speech and argument. In view of that risk both Houses and both parties forgot their differences. They were united as yet, as they were never again to be united till 1660, in their resolution that, as far as in them lay, there should not be a military despotism in England.

Danger of the Parliament.

No doubt the Houses over-estimated the danger, serious as it was. Whatever the Scottish Commissioners might say in a moment of irritation, it was most unlikely that the Scottish nation would lend itself to an enterprise the results of which were certain to recoil on their own heads. The English army was, no doubt, highly discontented with the remissness with which its just claims to payment had been met; but it had already resisted two attempts to drag it into political strife, and it was likely enough that it would resist a third, even if Charles appeared in person on the scene. In truth, however, the surest protection to Parliament was in Charles himself. A double-minded man is unstable in all his ways. He had never convinced himself whether he really intended to use force or not. His intrigues to bring military power to bear upon his political opponents were hampered by a desire to remain within the limits of legality. He had a hankering after Leslie's pikes and muskets. He had also a hankering after Bristol's statesmanship. It was, therefore, highly probable that he would fail in making use of either. He had come on his journey to a point where two roads met, and he wished to travel along both roads at the same time.

Tendency to overestimate it.

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